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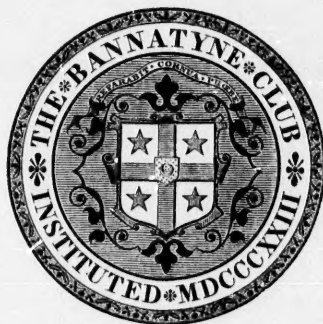
RELATING TO

THE COLONIZATION OF NEW SCOTLAND,

AND THE INSTITUTION OF

THE ORDER OF KNIGHT BARONETS OF NOVA SCOTIA.

1621—1638.



EDINBURGH: M.DCCC.LXVII.

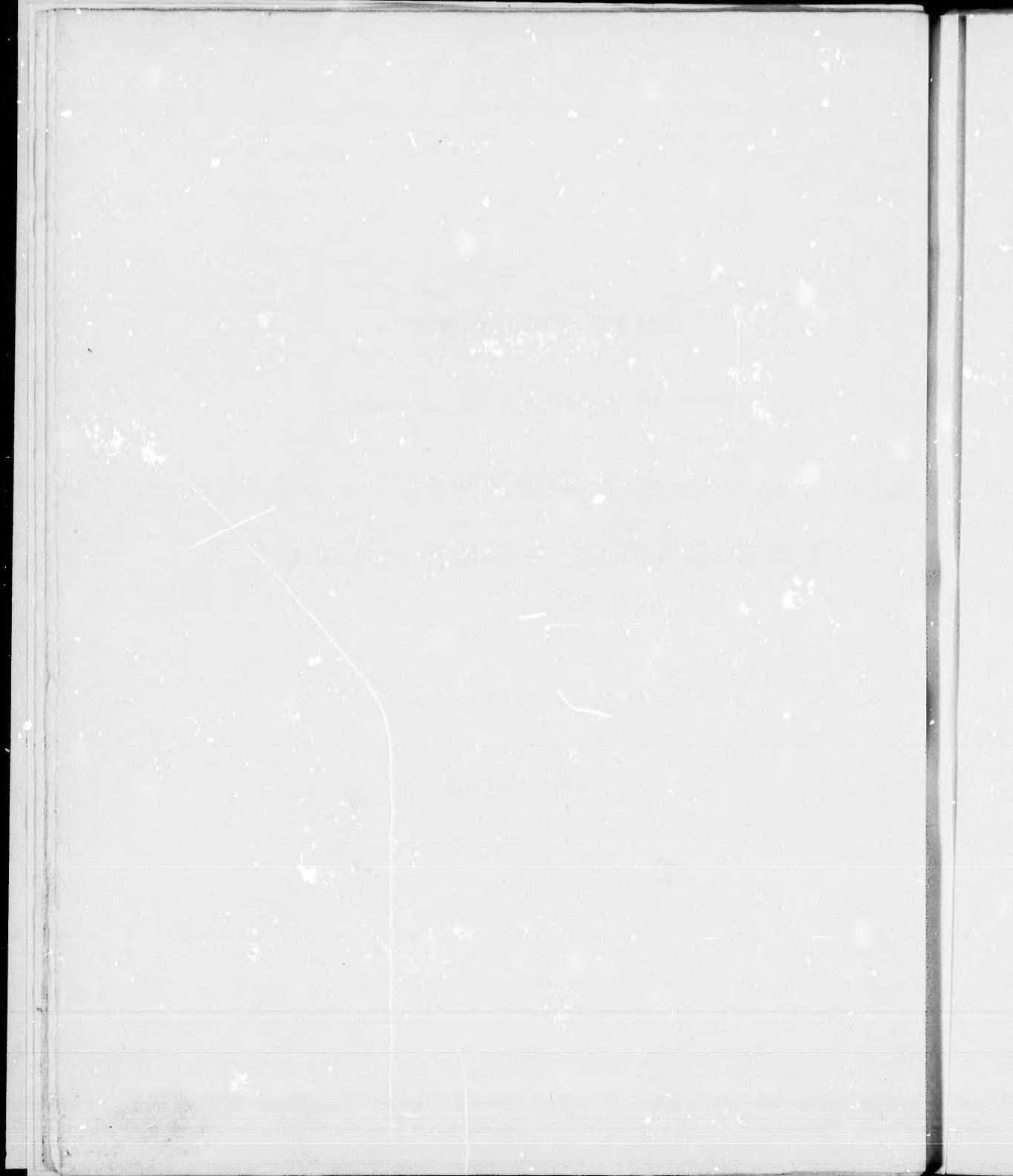
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TRACTS,—

- I. A BRIEF DISCOURSE OF THE NEW-FOUND-LAND. By Captain JOHN MASON.
Edinburgh, 1620, seven leaves.
- II. NOVA SCOTIA, THE KING'S PATENT TO SIR WILLIAM ALEXANDER, Knight,
FOR THE PLANTATION OF NEW SCOTLAND, IN AMERICA, AND HIS PRO-
CEEDINGS THEREIN. London, 1625, five leaves.
- III. AN ENCOURAGEMENT TO COLONIES. By Sir WILLIAM ALEXANDER, Knight.
London, 1624, twenty-seven leaves.
Title-page of the same Tract re-issued, as "The Mapp, and
Description of New England." London, 1630, one leaf.
- ✓ IV. ENCOURAGEMENTS FOR NEW GALLOWAY, IN AMERICA. By [Sir ROBERT
GORDON of] LOCHINVAR. Edinburgh, 1625, fifteen leaves.

Tracts taken out, bound separately and classed in
pamphlet collection, Series T, 110.5.8.9, 10, respectively.
(From a note by Miss N. C. Gray)

PREFACE.

THE Tracts contained in the present volume relate to the earliest attempts made in Scotland for the establishment of Colonies in North America. It is several years since they were reprinted for the Bannatyne Club. They were not circulated at the time, as it was proposed that the volume should embrace an extensive series of Original Letters and other documents, not only in connexion with this subject, but more especially with the institution of the Order of Knights Barons of Nova Scotia. This hereditary dignity, it is well known, had its origin in having been engrafted upon the schemes of colonization which were projected in this kingdom by Sir William Alexander in the year 1621.

After collecting from the public Records, and from Sir William Alexander's Register of Letters while Secretary of State for Scotland, and other sources, the chief materials for this portion of the intended volume, its completion was deferred, partly in the expectation that some important documents might be obtained from originals deposited in H.M. State Paper Office. But when in London in 1853, I was informed that the permission which the Home Secretary had previously granted, and which enabled me, as occasion offered, to examine and transcribe papers relating to Scotland during the sixteenth and seventeenth centuries, did not include such as were classed under the Colonial Department. I had therefore to make a special application to the Foreign Office, but after explaining the

object in view, as it was deemed inexpedient, from particular circumstances, to allow these papers to be examined or printed, the application was accordingly withdrawn. Since that time, these early Colonial Papers have been transferred to the Public Record Office, and are now of easy access for historical purposes, through the liberal arrangements sanctioned by the Master of the Rolls, besides the advantage of having an elaborate Calendar of them in a printed form.¹

I afterwards obtained for the Club transcripts of such papers from this great repository as seemed to be particularly suited for the present volume. But my hands being full of other work for the Club when it was drawing to a termination, this particular volume it was thought might be reserved for the last of the series, to be completed either in a larger or in a more restricted form, according to the means that should remain at the disposal of the Committee. Latterly, it became sufficiently evident that there would be no surplus funds to carry out the original design to its full extent. Had it even been otherwise, the anxious desire to bring the affairs of the Club to a speedy close would have kept me from interposing any protracted delay in completing the volume. I have, however, along with notices of the authors of the Tracts, given a very copious selection of all the original letters, and Acts of Privy Council which appeared to be of importance, without enlarging either on the subject of Nova Scotia Baronets, or attempting to prepare any detailed account of this unsuccessful episode of Scottish enterprise.

DAVID LAING.

October 1866.

¹ Calendar of State Papers, Colonial Series, 1574-1660, preserved in the State Paper Department of Her Majesty's Public Record Office. Edited by W. Noel Sainsbury. Lond. 1860, royal 8vo.

I.—CAPTAIN JOHN MASON.

JOHN CABOTO, a Venetian, resident in Bristol, and his three sons, obtained from Henry the Seventh of England letters patent, dated 5th March 1496, for a voyage of discovery, and they reached the island of Newfoundland, 24th June 1497. A second patent, dated 3d February 1498, specially refers to "the Lande and Isles" late found by the said John,¹ he having reached the continent of North America, sailing from the confines of Labrador to the coast of Virginia, twelve months before Columbus, in his third voyage, by landing on the South American continent, had completed his own great discovery. Nearly a century later Sir Humphrey Gilbert, with a comprehensive patent granted by Queen Elizabeth, took possession of Newfoundland; and various settlements were attempted at subsequent times, among others, by Alderman Guy of Bristol in 1610, by Captain Whitbourne in 1615, by William Vaughan, and by Captain Mason, and others. John Guy was governor of the English colony there, and remained with his family for two years. Purchase, in his *Pilgrimes*, inserts the chief part of a patent granted by King James for New-found-land, together with a letter from Guy, to the Council of the New-found-land Plantation, dated at Cuper's Cove, 16th May 1611.²

But the person who was most successful in directing the attention of the people of England to this settlement was Captain Richard Whitbourne of Exmouth. He states that he became an adventurer into foreign countries at fifteen years of age, was captain of a vessel of his own in 1588, and rendered good service at the time of the Spanish invasion. Having been employed more than forty years in making voyages to and from the island, he says, as "for the Newfoundland, it is almost so familiarly known to me as my owne contrey." He was

¹ See Biddle's *Life of SEBASTIAN CABOT* (one of the sons), to whom he assigns the honour of this discovery, compared with Bancroft's *Hist. of the United States*, vol. i. p. 9.

² Vol. iv. p. 1876. Lond. 1625, folio.

the author of "A Discourse and Discovery of Newfoundland," Lond., 1620, 4to., "A Discourse, containing a loving Invitation," &c., Lond., 1622, 4to., and a republication of both, with alterations and additions, in the same year. In a letter addressed to George Duke of Buckingham, in 1626, Whitbourne states that his "Large Discourse" had been presented to King James, and that his Majesty had ordered it to be printed, and distributed in every parish throughout England, to shew the benefits of settling a plantation in Newfoundland.¹

CAPTAIN JOHN MASON, on the other hand, addressed himself to his friends in Scotland, and his account of Newfoundland may have largely influenced the proposed schemes for founding colonies on the continent, in Nova Scotia. He seems to have been a native of England, but his name first occurs in the years 1610 and 1611, when engaged on the west coast of Scotland, along with Andrew Knox, Bishop of the Isles,² in attempting to curb the restless and predatory disposition of the islanders. In this enterprise Captain Mason was employed for fourteen months, and must have possessed means to have incurred considerable expense, amounting to £2,238 sterling, which still remained due in 1629, as we learn from the subjoined Declaration.³

¹ Colonial Papers, Sainsbury's Calendar, p. 82.

² Bishop Knox had received, in 1609, a commission for life as Steward and Justice of all the North and West Isles of Scotland. A brief account of his proceedings at this time is given in Donald Gregory's History of the Western Highlands and Isles of Scotland, from A.D. 1493 to A.D. 1625. Edinb. 1836, 8vo.

³ "TO THE KINGES MOST EXCELLENT MA^{TIE}.—The humble Declaracion of Capt. JOHN MASON Thesaurer for your Ma^{ties} Army, concerning his service flowerteene Monethes in the Redshankes Islandes

"Humbly sheweth That having in the yeares 1610 and 1611 bin ymployed by the especiall order of his late Ma^{tie} yor ffather of famous memory, gevin at Thetford, for furnishing and setting forth of Two Shippes of Warr and Two Pynnasses to attend his Ma^{ties} service conioyntly with Mr Andrew Knox, then Bishop of the Isles, for subduing of the then rebellious Redshankes in the Hebrides Ilandes, and for settling the Lawes of the Realme of Scotland there; which accordingly tooke good effect. In which ymployment the said Capt. John Mason was engaged personally wth his said Two shippes and Two pynnasses and flowterscore Marriners, besides certaine Gentlemen volunteers, in warlike manner, furnished by the space of flowerteene monethes, vpon an Aggreement made by the Earle of Dunbarr then Lord Chancellour and Thesaurer of Scotland in his Ma^{ties} name, to pay the whole freight, victualls, and wages, and other charges of the Expedition. But the said Earle dying ere the voyage fynished and noe course by him taken for satisfacion, the said Capt. John Mason was enforced to discharge the whole debt,

Being of an active enterprising disposition, Mason, who was for some time governor of Newfoundland, undertook a careful survey of the island. In a letter addressed "To the right worshipfull Mr John Scot of Scottisterbatt, in Scotland, Director to His Majesties Court of Chancery there, at his house on the Cawsey of Edenborough," he promises to send him some account of his discoveries. The letter is dated "from the plantacion of Cuper's Cove in Terra Nova. ult. Augusti 1617."¹ After alluding to the various hindrances to his duty, he expresses the hope that "I shall affoord you a Mapp thereof (Newfoundland), with a particular relacion of their severall parts, natures, and qualities." He then continues,—“I am now a setting my foote into that path where I ended last, to discover to the westward of this land; and for two months absence, I have fitted my selfe with a small new galley of 15 tonnes, and to rowe with fourteen oares (having lost our former). We shall visite the naturalls (natives) of the country, with whom I purpose to trade, and thereafter shall give you a tast of the event, hoping that withall *Terra nova* will produce *Dona nova*, to manifest our gratificacion. Untill which tyme, I rest and shall remayne *tuus dum suus*, JOHN MASON.”

The "Brief Discourse" which Mason sent to Sir John Scot was

viz. Two Thowsand Two hundred thirty and eight poundes. An Accompt whereof particularly drawn vpp, he then offered to your Ma^{ty}s ffather with a certificate also vnder the handes of the Bishopp of the Isles and other Lords Temporall of his good services done, by many yet justifiable. Wherevpon was delivered vnto him, his Ma^{ty}s letter to the Earle of Dumfrylin then the Lord Chancellor and to the Lordes of the Councell of Scotland for passing of a grant of the King's Assise Herring due from all the fishing Shippes and Boates on those coastes, to the said Capt. John Mason; who forthwith receaved commission therefore, and made collection of some part of the same in anno 1611. But vppon the marriage of the Queene of Bohemia the States Ambassadors after congratulacion of the said marriage, and presents delivered, made suit to the King for a Remission of the Payments of the said Assise Herring due by their Nation; which was granted to the disannulling of the said Capt. John Mason his whole interest therein, who never since receaved one penny towards recompence, saving onely a promise of certain Lands in Ireland, which tooke noe effect. Your Ma^{ties} most humble and obedient Servant JOHN MASON.”

There is annexed "An Accompt for the Interest" due on the principal sum of £2,238, for nineteen years, at the rate of 10 per cent, which, with the accumulations, reached, in 1629, to the large sum of £12,439, 7s. sterling; which probably he never received.—State Paper Office, Scotland, 1625-1638.

¹ *Epistolæ Virorum Doct. ad Jo. Scot, &c. MS.* (Advocates Library).

published by the latter at Edinburgh in 1620. The original tract, now reprinted, consists of seven leaves, and is so rare, that only three copies are known to be preserved.

It is not necessary to trace Captain Mason's subsequent history. At a later time he is styled "Vice-President of the Council for and Vice-Admiral of New England." He was alive in 1639. Several grants and papers relating to him among the Colonial Papers are described by Mr Sainsbury in his Calendar. One of these is a protest of Joseph Mason on behalf of Ann, widow of Captain John Mason, with respect to her lands in New England, July 4th, 1651.

In 1628 there appeared a quaint bombastic work, entitled "Quodlibets, lately come over from New Britaniola, Old Newfoundland. Epigrams and other small parcels, both morall and divine. . . . All of them composed and done at Harbor-Grace, in Britaniola, anciently called Newfound-Land. By R. H. (Robert Hayman), sometimes Gouverneur of the Plantation there." London, 1628, 4to. One portion the author dedicates "To the far admired, admirably fair, vertuous, and witty Beauties of England." His lines addressed to Captain Mason, and to Sir William Alexander, may be quoted.

THE SECOND BOOKE OF R. HAYMAN'S QUODLIBETS, p. 31.

79. *The foure Elements in Newfound-land. To the Worshipfull Captaine John Mason, who did wisely and worthily governe there divers yeeres.*

The Aire, in Newfound-Land is wholesome, good,
The Fire, as sweet as any made of wood;
The Waters, very rich, both salt and fresh;
The Earth more rich, you know it is no lesse.
Where all are good, *Fire, Water, Earth, and Aire,*
What man made of these foure would not live there?

80. *To all those worthy Women, who have any desire to live in Newfound-Land, specially to the modest and discreet Gentlewoman Mistress Mason, wife to Captaine Mason, who lived there divers yeeres.*

Sweet Creatures, did you truly understand
The pleasant life you'd live in Newfound-land,
You would with *teares* desire to be brought thither:
I wish you, when you goe, faire wind, faire weather:
For if you with the passage can dispence,
When you are there, I know you'll ne'er come thence.

95. *To the right Honorable Knight, Sir William Alexander, Principall and prime Planter in New Scotland: To whom the King hath giuen a Royall gift to defray his great charges in that worthy busines.*—P. 85.

Great *Alexander* wept, and made sad mone,
Because there was but one World to be wonne.
It loyes my heart, when such wise men as you,
Conquer new Worlds which that *Youth* neuer knew.
The King of Kings assist, blesse you from Heauen;
For our King hath you wise assistance giuen.
Wisely our King did aide on you bestow:
Wise are all Kings who all their gifts giue so.
'Tis well giuen, that is giuen to such a One,
For seruice done, or seruice to be done.
By all that know you, 'tis well understood,
You will dispend it for your Countries good.
Old *Scotland* you made happy by your birth,
New-Scotland you will make a happy earth.

96. *To the same Wise, Learned, Religious Patriot, most excellent Poet.*

You are a *Poet*, better ther's not any,
You have one super-vertue 'mongst your many;
I wish I were your equall in the one,
And in the other your Companion.
With one I'd giue you your deserved due,
And with the other, serue and follow you.

Hayman addresses verses to other persons connected with New Foundland, such as:—"To the right worthy, learned, and wise Master William Vaughan, chief Vndertaker for the Plantation in Cambrioll, the Southermost part of Newfound-Land, who with penne, purse, and person hath, and will proue the worthines of that enterprise." Also, "To the same industrious Gentleman, who, in his *Golden-Fleece*, styles himself *Orpheus Junior*."

Among the persons who had undertaken to plant large circuits in the southern part of "the island, commonly called the Newfoundland," was this William Vaughan of Tarracod, in the county of Carmarthen, Doctor of the Civil Law. Under the assumed name of *Orpheus Junior*, he published at London, in 1626, a fantastic work, entitled "*The Golden Fleece* Transported from Cambrioll Colchos, out of the southernmost part of the island, commonly called the Newfoundland, by

Orpheus Junior, for the general and perpetuall good of Great Britains." London, 1626, 4to. He mentions in terms of high commendation Captain Mason, Sir William Alexander, and other adventurers; and gives an engraved map of the Island, by Captain Mason (of which an accurate facsimile accompanies this reprint of Mason's Tract, 1620). But it forms no part of the design of the present collection to enlarge on the history of Newfoundland, and its great importance to this country for the fisheries and navigation.¹

II.—THE KING'S PATEN FOR THE PLANTATION OF NEW SCOTLAND, 10th September 1621.

This Patent or Charter is printed at full length, in a subsequent part of this volume, from the Great Seal Register. The abridged extract, contained in the well known and valuable work Purchase's Pilgrimes,² is given on account of the information which is added in regard to the proceedings for the Plantation. It is here accompanied with an extract from a rare tract, published at London in 1622 by the President and Council of New England.

¹ Copies of the following early tracts are preserved in the British Museum. For this note, I am indebted to the kindness of W. C. Hazlitt, Esq.

1. A Letter written by Captaine Edward Winne, to the Right Honourable, Sir *George Calvert*, Knight, his Maesties Principall Secretary: From *Ferryland* in *Newfoundland*, the 26 of August, 1621. Imprinted MDCXXI. Sm. 8vo. 12 leaves. . . Includes a 2d Letter not mentioned on the title: Another Letter of the 28 of August, from the said Captaine Winne, vnto Master Secretary *Calvert*. This occupies the 11th and 12th leaves.

2. A Letter from Captaine *Edward Wynne*, *Gouverneur of the Colony at Ferryland, within the Province of Analon*, in Newfoundland, vnto the Right Honourable Sir *George Calvert* Knight, his Maesties Principall Secretary. July, 1621. 4to. 9 leaves. . . Includes Letters to Calvert from Capt. Dan. Powell, and Capt. Wynne [17 Aug. 1622] and even from N. H. a Gentleman living at Ferryland to his friend W. P. 18 Aug. 1622. There is no regular title, but the above headline occurs on Sign. A. The last leaf is marked C.

3. A Short Discourse of the New-Fovnd-Land: containi[n]g Diverse Reasons and inducements, for the planting of that *Countrey*. Published for the satisfaction of all such as shall be *willing to be Adventurers in the said Plantatioun*. Dvblin, Printed by the Societie of Stationers. M.D.C. xxiii. 4to. 14 leaves. . . Dedicated by T. C. to "The Right Honovrrable Henry Lo: Cary, Viscount of Falkland," &c.

² Vol. iv. p. 1871.

III.—SIR WILLIAM ALEXANDER OF MENSTRIE.

SIR WILLIAM ALEXANDER of Menstrie, Viscount and afterwards EARL OF STIRLING, is usually said to have been born in 1580.¹ It is more likely that it was two or three years earlier. Some persons would trace his descent from Alexander or Allister, or Mackallister, whose progenitor was Donald, King of the Isles, son of Reginald, King of Man and the Isles.² This has a magniloquent sound, and suits the style of peerage writers, but no proof has or can be adduced to confirm it. Alexander Alschinder (as the name Alexander was frequently written during the sixteenth century) was the son of Andrew Alexander of Menstrie, and Catherine Graham. He, with Elizabeth Douglas, his spouse, and Andrew, their son and apparent heir, had two charters from Colin, Earl of Argyle, of part of the barony of Menstrie, in 1529, confirmed under the Great Seal, 20th April 1530.³ He died in 1545.

Andrew Alexander, mentioned in these charters, predeceased his father. His wife's name is not recorded; but we may infer from what follows that she was the daughter of Alane Coutis.

Alexander Alschinder of the Mains of Menstrie appears as a witness, along with his grandfather, of the same name, in a seisin dated 19th April 1541. Instead of surviving till 1594, as stated in Douglas' Peerage, his death occurred on the 16th of February 1580-1. His last will was confirmed by the Commissaries of Edinburgh on the 24th of May 1581.⁴ Five days before his decease he nominated James Alexander, his father's brother, John Alexander of Pitgogar, and Elizabeth Alexander, relict

¹ Marshall's portrait, rarely found in the copies of the Earl's "Recreations with the Muses," Lond., 1637 (see frontispiece to the present volume), represents the Earl of Stirling ætatis suis lvii.; but it is not certain that 1637 was the actual date of the engraving.

² See Buchanan of Auchmar's Highland Clans, &c.

³ Regist. Magni Sigilli, Lib. xxiii. No. 196.

⁴ Edinburgh Commiss. Confirmed Instruments, vol. ix.

of umquhile John Leicheman, burgess of Striveling, his executors ; also his gude Lord and maister Coline, Earl of Argyle, and Alane Coutis, his guidschir (maternal grandfather), as oversmen ; at the same time he constituted the said James Alschinder to be " tutor-testamentar to his bairnes, to wait thairupon for putting of his roomes and gudis to proffeit for the sustentation of his bairnes, and uphald of the hous to thame, and putting of thair geir to proffeit quhill thair perfyte aige," &c. ; or, failing his acceptance of this trust, John Alexander of Pitgogar, who seems to have undertaken it. In the list of debts awand be the said Alexander Alschinder of Menstrie there was one to my Lord of Argyle, maister of the ground, in anno 1580, 24 bolls of wheat, at £4 the boll ; 24 bolls of bear, at £3, 6s. 8d. ; and 24 bolls of meal, at £2, 10s. 6d. ; and to Margaret Alschinder, his sister, 100 merkis. The names of the children are unfortunately not given, and no mention being made of his wife, she had most likely predeceased him.

No particulars are recorded of Sir William's early history and education. He probably studied at St Andrews, without remaining to take his degree of Master of Arts. Sir John Scot states, "that he travelled through Italy and France with his Lord superior the Earl of Argyle, where he attained to the French and Italian languages."¹ This must have been Archibald seventh Earl of Argyle, born in 1576 ; and we may suppose that their visit to the Continent was before the close of that century. His first appearance as an author was in 1603, having published at Edinburgh "The Tragedie of Darius. By William Alexander of Menstrie ;" and, addressing the Reader, he says, "I present to thy favourable vewe and censure the first essay of my rude and unskillfull Muse in a Tragicall poem." It was dedicated "To the most excellent, high, and mightie Prince James the 6. King of Scots, my dreade Sovereigne :"

Whose Sacred brow a twofolde laurell beares,
To whom Apollo his owne harpe resignes,
And everlasting Trophies vertue reares.

In the following year Alexander published, at London, "Aurora, containing the first fancies of the Author's youth," being a collection of Love

¹ Scot's Staggering State of Scots Statesmen.

Sonnets, Sextains, &c., dedicated to the Lady Agnes Dowglas, Countesse of Argyle. At the same time his *Darius*, somewhat polished in its style, was reprinted, with the dedication "To His Sacred Majestie," amplified from three eight-line stanzas to thirteen stanzas. His tragedy of *Croesus* was joined to this republication, along with his "Paraenesis to the Prince. In 1607, these and his other tragedies, in rhyme, the *Alexandrian*, and *Julius Cæsar*, formed one volume, with a general title, "THE MONARCHICKE TRAGEDIES, &c., Newly enlarged." In a complimentary sonnet to the author, Sir Robert Aytoun, in reference to this title, says,—

The worthiest Monarch that the sunne can see,
Doth grace thy labours with his glorious Name,
And daignes Protector of thy birth to be:
Thus all Monarchick, patron, subject, stlle
Make thee the Monarek-tragick of this Isle.

But leaving his tragedies, and other poetical works, it may be noticed, that like many of his countrymen, Alexander had followed James to London, to seek preferment at Court, and was appointed Gentleman of the Prince's Privy Chamber. Before Prince Henry's untimely death, in November 1612,¹ he appears to have obtained the honour of knighthood; and shortly afterwards the King made him Master of Requests for Scotland.

During his residence at Court, Sir William, who could not be ignorant of the English settlements in Virginia or New England, of the French possessions in Acadie or Canada, and of the great importance of Newfoundland for its fisheries, was led to contemplate the advantages of an intermediate settlement on the same coast. In this, he says, "being much encouraged heereunto by Sir Ferdinando Gorge, and some others of the undertakers for New England, I shew them that my countrymen would never adventure in such an enterprise, unless it were as there was a New France, a New Spaine, and a New England, that they might likewise have a New Scotland." Having thus resolved to embark in colonial adventure, with a due regard to his personal dignity and pecu-

¹ The date usually given is 1614. But on the title page of "An Elegie on the death of Prince Henrie," Edinburgh, 1612, 4to, his name occurs signed as "Sr. William Alexander of Menstrie, Gentleman of his Privie Chamber," and, at the end, "S. W. A."

niary interests, he had no difficulty in obtaining from King James a grant of a large and extensive territory on the mainland, to the East of the river St Croix, and South of the St Lawrence, "lying between our colonies of New England and Newfoundland," as a foreign plantation. On this subject the King addressed the following important letter to the Lord Chancellor and the members of the Privy Council of Scotland, which is here given from the original,¹ and is probably now first printed.

1621.
August 5.

JAMES R.

RIGHT trusty and welbeloued Cosens and Counsellours and right trusty and welbeloued Counsellours Wee greete you well. Hauing euer beene ready to embrace anie good occasion whereby the hono^r or proffete of that our Kingdome might be advanced, and considering that no kynd of conquest can be more easie and innocent than that which doth proceede from Plantationes specially in a country commodious for men to live in yet remayneing altogether desert or at least onely inhabited by Infidells the conversion of whom to the Christian fayth (intended by this meanes) might tend much to the glory of God; Since sundry other Kingdomes as likewyse this our Kingdome of late, vertuously aduentring in this kynd haue renued their names, imposeing them thus vpon new lands, considering (prayed to God) how populous that our kingdome is at this present and what necessity there is of some good meanes wherby ydle people might be employed preventing worse courses Wee think there are manie that might be spared who maie be fitt for such a forraigne Plantation being of mynde as resolute and of bodyes as able to overcome the difficulties that such aduenturers must at first encounter with as anie other Nation whatsoever, and such an enterprise is the more fitt for that our kingdome that it doth craue the transportation of nothing from thence, but only men, women, cattle, and victualls, and not of money, and maie giue a good returne of other comodityes affording the meanes of a new trade at this tyme when traffique is so much decayed. For the causes abouespecifeit Wee haue the more willingly harkened to a motion made vnto vs by o^r trusty and welbeloued Counsellour SIR WILLIAM ALEXANDER knight who hath a purpose to procure a forraigne Plantation haueing made choice of lands lying betweene our Colonies of New England and Newfoundland both the Gouvernours whereof haue encouraged him thereunto, therefore that he and such as will vndertake with him by getting of good security maie be the better enabled hereunto Our pleasure is that after due consideratione if you finde this course as Wee haue conceaued it to be for the

¹ Royal Letters, 1607-1624, General Register House.

good of that our Kingdome That yow graunt vnto the sayd Sir William his heires and assignes or to anie other that will joyne with him in the whole or in any part thereof a Signatour vnder our Great Seale of the sayd lands lying betweene New England and Newfoundland as he shall designe them particularly vnto yow To be holden of vs from our kingdome of Scotland as a part thereof united therewith by anie such tenure and as freely as yow shall finde vs to haue formerly granted in the like case here, or that yow shall think fitt for the good of the sayd plantation with as great priuiledges and fauours for his and their benefite both by sea and land, and with as much power to him and his heires and their deputies to inhabite, gouerne, and dispose of the sayds lands, as hath at anie tyme bene graunted by vs heretofore to anie of our subjects whatsoever for anie forraigne plantation or that hath bene graunted by anie Christian prince of anie other kingdome for the like cause in giueing authority power benefite or hono^r within the bounds to be plaunted to them or by warranting them to conferre the like vpon any particular enterpriser there who shall deserue the samen, adding any further conditiones for the furtherance hereof as yow shall think requisite and that the said Signatour be past and exped with all expedition And likewise Our pleasure is that yow giue all the lawfull ayde that can be afforded for furthering of this enterprise which Wee will esteeme as good seruice done to vs for doing whereof these presents shall be your warrant from Our Court at Beauer the 5th of August 1621.

(Indorsed)—

To our Right trusty and welbeloued Cosen and Counsellour The Earle of Dumfermling oure Chancellour of Scotland And to our right trusty and welbeloued Counsellours The remanent Earles Lords and others of our Priuy Councell of our sayd Kingdome.

Proceeding on this authority, the royal warrant or signature for a charter was accordingly prepared, and signed by the King, at Our Castle of Windsor, on the 10th September 1621, and the charter under the Great Seal was duly passed and registered on the 29th of that month, as printed in this collection. Sir William Alexander in this charter is alleged, somewhat gratuitously, to have been the first of our subjects who, at his own expense, endeavoured to plant this foreign colony, on the lands which it describes, while the privileges and liberties conferred on him as the King's hereditary lieutenant-general were almost unlimited. In making this grant the fact was overlooked, or kept altogether out of view, that this region had already been included in the French provinces of Acadie or New France, in virtue

of previous settlement, by a grant of Henry IV. of France in the year 1603. Sir William seems to have been aware of this, as he uses the words, "designing the bounds for me *in that part, which hath been questioned by the French*;" but he considered that in his patent the boundaries were clearly enough defined, as "marching upon the West towards the River of Saint Croix, now Tweed (where the Frenchmen did designe their first habitation) with New England, and on all other parts it is compassed by the great Ocean, and the great River of Canada." Notwithstanding this, it was found, from using the same name for different localities, that the actual boundaries were by no means well ascertained; and it so happened that during the whole of this and part of the following century it became a fruitful source of dispute between France and Britain.¹

On the 8th of November 1621, a similar charter was granted to Sir Robert Gordon of Lochinvar and his second son Robert, with the view of promoting the great object of colonization. This charter is also included in the present volume. Sir William Alexander having received his patent, the Privy Council passed the following Act in his favour, to have a seal as his Majesty's lieutenant, with the King's portrait and arms.

Apud Edinburgh xvij Junij 1622.

1622.
July 18.

SIR WILLIAM ALEXANDER.²

Forsamekle as in the Patent grantit to SIR WILLIAM ALEXANDER Knight anent the new Plantatioun intendit and vnderthane be him o' landis lyand betuix his Majesteis Colonies of New England and the newfundland, thair is a Commissioun of Lieutennandrie Justiciarie and Admiraltie insert and for the gritair solempnitie in using of the saidis Officeis It is appointit and ordanit be the said Patent that he sall haif ane Seale according to the forme vnderwritten Thairfor the Lordis of Secreit Counsell ordanis and commandis Charlis Dikkiesoun sinkair of his Maiesteis Irnis, to mak grave and sink in dew and comelie forme Ane seale haueand on the ane syde his Majesteis armes within a sheild, the Scottis armes being in the first

¹ As detailed in the voluminous Memorials published by the French Government previously to the Peace of Aix-la-Chapelle in 1763, with regard to the boundaries of New France and Nova Scotia.

² Acta Reg. Secr. Concllii, fol. 83 b.

place, with a close crowne about the armes, with this circumscription *Sigillum Regis Scotiæ Angliæ Franciæ et Hiberniæ*, and on the other syde of the seale his Maiesties portrait in armour with a crowne on his heade and sceptour in the one hand, and a globe in the other hand, with this circumscription *Pro Nouæ Scotiæ locum tenente*. Anent the makinge graveing and sinking of the whilk seale The extract of this Act salbe vnto the said Charlis and sufficient warrande.

As it became necessary that some active measures should be adopted, Sir William states that, after receiving his patent, he procured a vessel at London, in March 1622, and sent it to Kirkeudbright for men, provisions, &c. that it might sail direct from Scotland. But he enlarges on the delays, the increased expense of provisions, and the difficulty experienced in persuading artisans and other suitable persons¹ to set out for far distant and unknown lands. It was late in the season when the vessel came within sight of the shore near Cape Breton, but, beaten back by contrary winds, no landing was effected, and the company resolved to pass the winter in St John's harbour, Newfoundland, while the vessel was sent home "for a new supply of such things as were needful." The next spring another vessel was freighted, and sailed with not much better success. On arriving, in June, at St John's, they found the former company dispersed, or engaged in various occupations; and after sailing along the coast, making a partial survey of the harbours and adjacent lands, the proposed establishment of a colony there was again postponed, and the company returned to England.

With the hope of exciting a greater interest in the proposed scheme, Sir William Alexander published under the title of "AN ENCOURAGEMENT TO COLONIES," London, 1624, the tract now reprinted page for page with the original, of which some copies have the date 1625. It seems not to have had much success, as six years later, the copies were reissued with the more attractive title of "THE MAPP AND DESCRIPTION OF NEW ENGLAND; together with A Discourse of Plantation, and Collonies," &c. London, 1630. The two books, excepting the title pages, are precisely

¹ Lord Bacon has some useful suggestions on this subject, in his Essay on Plantations; and it would have been well had Sir William completed his arrangements before the vessel had been sent to Kirkeudbright.

the same, but the author's dedication "To the most Excellent Prince (Charles)," was cancelled in the later copies, and no other substituted. The engraved map occurs in both, and was also used by Purchase, in the Fourth Part of his *Pilgrimes*, 1625, where he has a short chapter on the subject. A fac-simile of this Map is given in the present volume. The author concludes his *Encouragement to Colonies* by acknowledging that no one man could accomplish such an undertaking by his own private fortunes, but if it shall please the King to give his help accustomed, "making it appear to be a work of his own, I must trust to be supplied by some publike helpes, such as hath beene had in other parts," for the advancing of so worthy a work, "which may prove for the credit or benefit of my Nation, to whom I wish all happinesse."

In this expectation Sir William Alexander was not disappointed. The scheme which had proved successful in the year 1609 for colonizing certain districts in the province of Ulster, by creating the Order of Knights Baronets in the kingdom of Ireland, and dividing the lands and annexing the title to those who undertook to pay a fixed sum, and furnish a certain number of settlers, suggested the adoption of a similar plan for Scotland, under the title of Knights Baronets of Nova Scotia. Sir William had sufficient influence with the King to persuade him heartily to approve of the scheme, and to write, "We ar so hopefull of that enterprise that we purpose to make it a work of our owne." This project is so well set forth in King James's letter to the Privy Council of Scotland, and in their reply, 18th October and 23d November 1624, that these may here be printed in full, along with the Council's Proclamation on the last of November. It announced the King's resolution on the 1st of April following to proceed to the creating and ranking the one hundred proposed Baronets; and the Knights and Esquires who intended to become undertakers and receive this honour were directed previously to that day to appear and have their names enrolled in the Books of Privy Council. There is also added the letter of Prince Charles, on the 17th, and another of the King's, the 23d of March 1625. But four days before the 1st of April had arrived, and only four days after the King had signed that letter, his reign had come to its termination.

FROM HIS MAJESTIE ANENT BARONETTIS.¹1624.
October 18.

[JAMES R.]

Right trustie and welbeloued Counsellour Richt trustie and welbeloued Cosens and Counsellor^{ss} and trustie and welbeloued Counsellours We greate you weill The Letter ye sent giving us thanks for renewing of the name of that our ancient Kingdome within AMERICA intreateing our favour for the furthering of a Plantatioun ther, was verie acceptable vnto vs and reposing vpon the experience of vthers of oure subiects in the like kinde We ar so hopefull of that enterprise that We purpose to make it a worke of oure Owne And as We wer pleased to erect the honour of KNIGHT BARRONETTS within this oure Kingdome for advancement of the Plantatioun of Ireland, So We doe desire to conferr the like honour within that our Kingdome vpon suche as wer worthie of that degree and will agree for some proportion of ground within NEW SCOTLAND furnisheing furth such a number of persones as salbe condiscended vpon to inhabite there Thus sall both these of the cheife sorte (avoydeing the vsuall contentions at publick meetings) being by this Hereditarie honour preferred to others of meaner qualitie know ther owne places at home and likwyse sall haue ther due abroad from the subiects of our other countreyis accordinge to the course apointed for that our ancient Kingdome And the mentioning of so noble a cause within ther Pattents sall both serue the more by suche a singular merite to honour them and by so goode a ground to iustifie our iudgement with the posteritie But though the conferring of honour be meere Regall and to be done by Vs as We please yet We would proceed in no matter of suche moment without youre advyse OUR PLEASURE is haueing considered of this purpose if ye find it as We conceive it to be both fitt for the credit of that Our Kingdome and for the furtherance of that intended Plantatioun that ye certifie vs your opinione concerning the forme and conveniencis thair of, together withe your further advyce what may best aduance this so worthie worke which We doe verie muche affect but will vse no meanes to induce onie man thereunto further then the goodnes of the busines and his awne generous dispositione shall perswade Neither doe We desire that onie man salbe sent for or travelled with by you for being Barronet, but after it is founde fitt will leave it to their owne voluntarie choise, not doubteing (howsoever some for want of knowledge may be averse) but that ther wilbe a greater number than we intend to make of the best sorte to imbrace so noble a purpose whereby bothe they in particular and the whole Natioue generally may have honour and profite And We wishe you rather to thinke how

¹ Regist. Secr. Concillii.—(Royal Letters, Sept. 19, 1623, May 17, 1632.)

remedies may be provided against any inconveniences that may happen to occur then by conjecturing difficulties to loose so faire and vnrrecoverable occasioun whiche other Nations at this instant are so earnest to vndertake. And for the better directinge of your iudgement We haue appointed ane printed copie of that Order quhiche was taken concerning the Barronettis of this our Kingdome to be sent vnto you as it was published by authoritie from Vs.¹ So desireing you to haste back your ansuere that We may signifie our further pleasure for this purpose We bid you Fairweill. From Our Courte at Roystoun the 18 day of October 1624.

1624.
November 23.

TO HIS MAJESTIE ANENT THE BARONETTIS.

MOST SACRED SOUERANE,

We haue considerit of your Maiesties letter concerning the Barronettis and doe therby persave your Maiesties great affection towards this your ancient Kingdome and your Maiesties most iudicious consideratioun in makeing choise of so excellent meanes both noble and fitt for the goode of the same, wherein seing your Maiestie might haue proceedit without our advyce, and vnaquainting vs with your Maiesties royall resolutioun therein, we ar so muche the more boundin to rander vnto your Maiestie our most humble thanks for your gracious respect vnto vs not onlie in this but in all vther thinges importeing this estate outhur in credite or profit And we humbly wisse that this honour of Barronet should be conferrit vpoun none but vpoun Knechtis and Gentlemen of chiefe respect for their birth, place or fortounes, and we haue taken a course by Proclamatioun to mak this your Maiesties gracious intentione to be publickly knowen that non heirafter pretending ignorance take occasion inwardly to compleyne as being neglected bot may accuse thameselfis for neglecting of so fair ane opportunitie And whereas we ar given to vnderstand that the country of NEW SCOTLAND being dividit in twa Provinces and eache province in sevrall Dioceses or Bishoprikis, and eache diocese in thrie Counteys, and eache countey into ten Baronyis, everie baronie being thrie myle long vpon the coast and ten myle vp into the countrie, dividit into sex paroches and eache paroch contening sax thousand aikars of land and that everie Baronett is to be ane Barone of some one or other of the saids Barroneis and is to haif therein ten thowsand aikars of propertie besydis his sax thowsand aikars belonging to his bur^t (burgh) of baronie To be holdin free blanshe and in a free baronie of your Maiestie as the barronies of this Kingdome for the onlie setting furth of sex men towardis your Maiesties Royall Colonie armed, apparell, and

¹ This might either be "His Majesties Commission as touching the creation of Baronets." London, 1611, 4to, or "Three Patents concerning the Honourable Degree and Dignitie of Baronets." London, 1617, 4to.

victuald for two yeares And everie Baronet paying SIR WILLIAM ALEXANDER Knight ane thousand merkis Scottis money only towards his past charges and endeavouris Thairfore our humble desire vnto your Maiestie is that care be taken by sirtie actit in the bookis of Secreit Counsall, as was in the Plantatioun of Vlster that the said number of men may be dewlie transported thither with all provisions necessar and that no Baronet be maid but onlie for that cause And by some such one particular course onlie as your Maiestie sall appointe And that Articles of Plantatioun may be set furth for encourageing and inducing all others who hes habilitie and resolutioun to transport themselfis hence for so noble a purpose.

Last we consave that if some of the Englishe who ar best acquainted with such forrayn enterpreises wald joyne with the saids Baronetts heir (as it is liklie the lyker conditioun and proportioun of ground wald induce thame to doe) That it wald be ane grite encouragement to the furtherance of that Royall worke quhilk is worth[ie] of your Maiesties care And we doubte not sindrie will contribute their help heirunto. So expecting your Maiesties forder directioun and humble submitting our opinione to your Maiesties incomparable iudgement We humble tak our leave prayeing the Almightie God to blisso your Maiestie with long and happie Reigne. From Edinbrugh the 23 of November 1624.

(*Sic subscribitur*)

GEO. HAY.	LAUDERDAILL.
MAR.	L. ARESKINE.
ST ANDROIS.	CARNEGIE.
MORTOUN.	B. DUMBLANE.
LINLITHGOW.	A. NEPER.
MELROS.	S. [W.] OLIPHANT.

PROCLAMATIOUN ANENT BARONETIS.¹

Apud Edinburgh ultimo die mensis Novembris 1624.

1624.
November 30.

At Edinburgh the last day of November The yeir of God 1600 Tuentie four yearis Our Soverane Lord being formarle gratuslie pleased to erect the heritable honnour and title of ane Baronet as ane degree, state and place nixt and immediatlie following the younger sones of Vicounts and Lordis Baronis of Parliament as ane new honnour whairwith to rewaird new meritiss Having conferrit the same honnour place and dignitie upoun sundrie of the Knights and Esquhyris of Ingland and Ireland to thame and thair airis mail for ever In consideratioun of their help and assistance toward that happie and successfull plantatioun of ULSTER IN IRELAND To the grite strenth of that his Majesties Kingdome, incesse of his Hienes revenues and help to manie of his Majesties goode subjects And quhairas our said

¹ Regist. Secreti Concillii.—(Acta, Jan. 1621—Mar. 1625, fol. 218.)

Soverane Lord being no les hopefull the plantatioun of NEW SCOTLAND in the narrest pairt of America alreadie discovered and surveyed be some of the subjects of his Majesties Kingdome of Scotland joyning unto NEW ENGLAND quhairin a grite pairt of his Hienes nobilitie, gentrie, and burrowis of Ingland ar particularlie interessed and hes actuallie begun thair severall Plantations thairof And for that conceaving that manie his Majesties subjects of this his ancient Kingdome emulating the vertewes and industrious interpryssis of utheris And being of bodies and constitutionis most able and fitt to undergo the Plantatioun thairof and propagation of Christiane religiou will not be deficient in anie thing quhilk may ather advance his Majesties Royall intentioun towards that Plantatioun or be beneficiall and honnourable to this his Hienes ancient Kingdome in generall or to thameselfis in particular The samyn being ane fitt, warrandable and convenient means to disburding this his Majesties said ancient Kingdome of all such younger brether and meane gentlemen quhois moyens ar short of thair birth worth or myndis who otherwayes most be troublesome to the houses and freindis from whence they ar descendit (the common ruynes of most of the ancient families) Or betak thameselfis to forren warke or baisser chifts to the discredite of thair ancestouris and cuntrey And to the grite losse of manie of his Majesties goode subjects who may be better preservit to his Hienes use, honnour of thair freindis, and thair awne comfort and subsistance Gif transplantit to the said cuntrey of NEW SCOTLAND, most worthie and most easie to be plantit with christiane people and most habill by the fertilitie and multitude of commodities of sea and land, to furnish all things necessarie to manteine thair estaitis and dignitie as Landislordis thairof and subjects to his Majestie to be governed by the Lawis of this his ancient Kingdome of Scotland And our said Soverane Lord being most willing and desyreous that this his said ancient Kingdome participate of all such otheris honnouris and dignities as ar erected in anie of his Majesties others Kingdomes To the effect that the Gentrie of this his Hienes said ancient Kingdome of Scotland may both haif thair dew abroad amonge the subjects of utheris his Majesties Kingdomes and at home amonge thameselfis according to thair degree and dignitie As alsua his Majestie being most graciouslie pleasit to confer the said honnour of heretable Baronet as ane speciall mark of his Heighnes princelie favour upoun the Knights and Esquyris of principall respect for thair birth worth and fortouns Togidder with large proportionis of Landis within the said cuntrey of NEW SCOTLAND who sall be generouslie pleasit to set furth some men in his Hienes Royal Colonie nixt going thither for that plantatioun THAIRFORE his Majestie ordanis his Hienes lettres to be direct chargeing Herauldis Pursevantis and Messengeris of Armes to pas to the mercat Cros of Edinburgh and vtheris placeis neidfull and thair be oppin proclamation to mak publicatioun of the premises And that it is his Majesties princelie

pleasure and expres resolutioun, to mak and creat the number of Ane hundreth heretable Baronettis of this his Hienes Kingdome of Scotland be patentis under his Majesties grite seale thairof Who and thair airis maill sall haif place and precedencie nixt and immediatlie after the youngest sones of the Vicounts and Lordis Barrounis of Parliament and the addition of the word *SIR* to be prefixed to thair proper name and the style and the title of *BARONETT* subjoyned to the surname of everie ane of thame and thair airis maill Together with the appellatioun of *Ladie*, *Madame*, and *Dame*, to thair Wyffis in all tyme comeing with precedencie befor all others Knights alsweill of the Bath, as Knights Bacheiouris and Bannarrettis (except these onlie that beis Knighted be his Majestie his airis and successouris in proper persone, in ane oppin feild with banner displayed with new additioun to thair armes and haill utheris prærogatives formarlie grantit be our said Soverane Lord to the saidis Barronettis of Ingland and Ireland Conforme to the printed patent thairof in all poynts And that no persone or personis whatsumevir sall be created and maid Barronettis bot onlie such principall Knights and Esquyris as will be generouslie pleisat to be Undertakeris of the said Plantatioun of New SCOTLAND And for that effect to act thameselfis or some sufficient cautioneris for thame in the buikis of Secreit Counsaill befor the first day of Apryll nixt to come in this insueing year of God 1600 Tuentie fyve yearis To sett furth sex sufficient men artificeris or laboureris sufficientlie armet apparrelit and victuallit for tua yeiris towards his Majesties Royall Colonie to be established God willing thair for his Hienes use dureing that space And that within the space of yeir and day efter the dait of the said Actis under the pane of tua thowsand merkis usuall money of this realme As also to pay to Sir WILLIAME ALEXANDER Knight Maister of Requests of this Kingdome and Lieutenant to his Majestie in the said Cuntrey of NEW SCOTLAND the sowme also of ane thowsand merkis money foirsaid for his past chargeis in discoverie of the said Cuntrey and for surrendering and resigning his interest to the saidis Landis and Barronies quhilks ar to be grantit be our said Soverane Lord to the saidis Barronettis and everie one of thame To be halden in frie blensh of his Majestie his airis and successouris as frie Barronies of Scotland in all tyme comeing And as of the Crowne of the samyne Kingdome and under his Hienes grite seale thairof without onie other fyne or compositioun to be payit to his Majestie or his hienes thesaurar for the tyme thairfore Quhilkis barronies and everie one of thame sal be callit be suche names as seemes meetest to the saids Barronettis And sall border on the sea coast or some portative river of the said Cuntrey and containe threttie thowsand aikers quhairof sextene thowsand aikers is intendit for everie one of the saidis Baronetis thair airis and assignayis quhatsumevir with ane Burgh of Barronie thairupoun And the remanent fourtene thowsand aikeris for such other publick use and uses as for the Crowne,

Bishops, Universities, Colledge of Justice, Hospitals, Clargie, Phisitiounis, Schools, Souldiouris and utheris at lenth mentionat in the Articles and Plattforme of the said Plantatioun And forder that his Majesties will and pleasure is That publick intimatioun be maid as afoirsaid To all the saidis Knights and Esquyris who desyris to accept the said dignitie of Baronett and Baronie of Land upoun the conditionis above exprest that betuix and the first day of Apryle nixt to come they repair in persoun or by some Agent sufficientlie instructed to the Lordis of his Majesties privie Counsall or to suche as sal be nominat be his Hienes and intimat to thame be the saidis Lordis to inroll thair names and ressave forder informatioun fra thame concerning the said plantatioun and for passing of thair infeftmentis and patents accordingle And sicklyk that all othis personis who intendeth not to be Barronetts and that hath suche affectioun to his Majesties service as they will also be Undertakers of some proportionis of Land in New SCOTLAND (as the nobilitie gentrie and burrowis of Inghland hath done in New Inghland) may hereafter tak notice of the printed Articles¹ of the Plantatioun of New Scotland and informe thameselfis by all laughfull wayes and meanis thair of With certificatioun to all his Majesties lieges and subjects that immediatlie after the said first day of Apryle nixt to come Our said Soverane Lord will proceed to the creatioun and ranking of the saidis Barronettis, and passing of thair patents and infeftments without respect to any that sall happin to neglect to cum in before the said day who ar heirby requyrit to tak notice heirof and inroll thair names that thair neglect may be rather imput unto thameselfis then to his Majestie who is so graciouslie pleasit to make offer to thame of so fair ane occasioun of heretable preferment honnour and benefite.

1625.
March 17.

CHARLES P.

ANENT BARONETTIS.²

Right trustie and right welbeloued Cosens and Counsellouris and right trustie and welbeloued Counsellouris, Whereas it hath pleased the Kingis Majestie in favour of the Plantatioun of NOVA SCOTIA to honnour the Vndertakiris being of the ancientest gentrie of Scotland with the honnour of Barronetts and thairin haif trusted and recommendit SIR WILLIAM ALEXANDER of Menstrie to his Counsell to assist him by all laughfull meanis and to countenance the bussienes by their authoritie In like maner We do recommend the said Sir William and the bussines to your best assistance hereby declairing that we favour bothe the bussines and the persone that followeth it in suche sort That your willingness to further it in all you can sal be vnto us very acceptable service So We bid you hartelie farewell From the Court at Theobalds, the 17 of Marche 1625.

¹ No copy of these Printed Articles has been discovered.

² Regist. Secr. Concillii.—(Royal Letters, 1623-1632.)

ANENT BARONETTIS.

JAMES R.

1625.
March 23.

Right trustie and welbeloued Counsellour Right trustie and welbeloued Cosens and Counsellours and trustie and welbeloued Counsellours We greete you weele We persave by your letters directit vnto us what care you haif had of that bussienes which We recommendit vnto you concerning the creatting of KNIGHT BARONETTIS within that our Kingdome for the Plantatioun of New Scotland, and ar not onlie weele satisfied with the course that you haif taikin thairin but likewayis it doeth exceedinglie content vs that We haif so happielie fund a meanis for expressing of our affection towards that our ancient Kingdome as we find by the consent of you all so much tending to the honnour and profite thairof, and as we haif begun so we will continue requireing you in like maner to perseuere for the furthering of this Royall work that it may be brought to a full perfectioun And as you haif done weele to warne the auncient Gentry by Proclamatioun assigneing thame a day for comeing in and that you are carefull to secure that which they sould performe Our pleasure is to this end that this bussienes may be carried with the lesse noice and trouble that everie one of them that doeth intend to be Baronet give in his name to our trustie and welbeloued SIR WILLIAM ALEXANDER Knight our Lieutenant for that enterprise or in cais of his absence to our trustie and welbeloued Counsellour SIR JOHN SCOTT Knight that one of thame after the tyme appoyntit by the Proclamatioun is expyred may present the names of the whole number that ar to be created unto thame whome We sall appoynt Commissionaris for marshalling of them in due ordour And becaus it is to be the fundatioun of so grite a work bothe for the good of the Kingdome in generall and for the particular enterest of everie Baronet who after this first protectionarie Colony is seatled for secureing of the cuntrey may the rather thairefter adventure for the planting of their awne proportioun whiche by this meanis may be maid the more hopefull That the sinceritie of our intentioun may be seen Our further pleasure is that if any of the Baronettis sall chuse rather to pay two thowsand merkis than to furnishe furth sex men as is intendit that then the whole Baronettis mak chois of some certaine persones of thair number to concurr with our said Lieutennant taking a strict course that all the said monie be onlie applied for setting furth of the number intendit or at the least of so many as it can convenientlie furnishe And as we will esteeme the better of suche as ar willing to imbrace this course so if any do neglect this samine and sue for any other degree of honnour hereafter We will think that they deserve it the lesse since this degree of Baronet is the next steppe vnto a further And so desiring you all to further this purpose als far as convenientlie you can We bid you Farewell, from our Court at Theobaldes, the 23 of Marche 1625.

King James died at Theobalds, London, on Sunday the 27th day of March 1625. At the close of his charter or original patent, granted to Sir William Alexander in October 1621, he engaged that all the privileges and liberties it so bountifully conferred should be ratified, approved, and confirmed in our next Parliament of our said Kingdom of Scotland. No subsequent Parliament was held during his reign; but this scheme was not allowed to drop. King Charles, within three months of ascending the throne, granted a Charter of Novodamus, under the Great Seal, in which the former one is recited, with additional clauses respecting the order of Baronets, and confirming to Sir William Alexander, in the most ample form, the lands and lordship of Nova Scotia, and also engaging to have the same ratified and confirmed by Parliament. The King, however, showed as little inclination to convoke a meeting of Parliament in Scotland as he did in England. But active measures in the meanwhile were pursued for the creation of Baronets, and Sir William, who was appointed, in 1626, one of the Principal Secretaries of State for Scotland, was raised to the peerage by the title of Viscount of Stirling and Lord Alexander, 4th of September 1630. Three years later, at the King's coronation at Holyrood, his Lordship was raised to the dignity of Earl of Stirling, Viscount of Canada, &c., by letters patent, 14th of June 1633.

The Royal Letters and proceedings of the Privy Council of Scotland during the early part of the reign of Charles the First, which relate to Sir William Alexander's various schemes, are too numerous to be given in whole; but the following series, it is believed, includes all that are of any importance in regard to Nova Scotia. They do not require any special comment; but it will be observed that these papers run much more on the creation of Knights Baronets than the enforcing on such undertakers the patriotic scheme of Colonization, and, by the payment of certain fines, they were released from the obligation of sending "out men, women, and provisions" to the intended Colonies, until, in fact, it may be said, the whole matter degenerated into an easy mode of raising money by the sale of hereditary titles. The following documents, unless it may be otherwise stated, are given from either Original letters, the Acts of Privy Council, or the Register of letters kept by

Sir W. Alexander, afterwards Earl of Stirling, while Principal Secretary of State for Scotland.¹ The following Precept may serve as an example of the form or warrant issued for preparing a Charter under the Great Seal, to convey, with the grant of lands, the title and honours of a Nova Scotia Baronet.

PRECEPT OF A CHARTER TO WILLIAM EARL MARISCHAL.

1625.
May 25.

PRECEPTUM CARTE fact. per S. D. N. Regem predilecto suo consanguineo Wilhelmo Mariscalli Comiti Dno. Keith et Altrie &c. Regni Scotie Mariscallo hereditibus suis masculis et assignatis quibuscunque hrie. [hereditarie] super tota et integra illa parte seu portione regionis et domini Nove Scotie vt sequitur bondat. et limitat. viz. incipien. a maxima meridionali parte terre ex orientali latere fluvii nunc Tweid appellat. prius autem Sancti Crucis et exinde pergendo orientaliter sex miliaria per maris et littus et exinde pergendo borealiter a maris littore in terra firma ex orien. latere ejusdem fluvii observando semper sex milliaria in latitudine a dicto fluvio orientaliter donec extendat. ad numerum quadraginta octo millium acrarum terre cum castris turribus fortaliciis &c. Quequidem terre aliaque in dict. carta ad Dominum Gulielmum Allexander de Menstrie hereditarie pertinuerunt et resignate fuerunt per ipsum in manibus dict. S. D. N. Regis pro hac Nova Carta et infeodatione Prefato predicto suo consanguineo Willielmo Mariscalli Comiti &c. desuper conficienda Preterea cum clausula vnionis in unam integram et liberam baroniam et regalitatem omni tempore futuro Baroniam de Keith Marschell nuncupand. tenen. de dict. S. D. N. Rege et successoribus suis de corona et regno Scotie in libera alba firma pro annua solutione vnus denarii vsualis monete dicti regni Scotie super solum et fundum dictarum terrarum nomine albe firme si petatur tantum vel alicujus earundem partis in die festo nativitatis Domini nomine albe firme si petatur tantum Et quod vnica sasina apud Castellum de Edinburgh capienda et erit sufficiens pro omnibus et singulis terris aliisque particulariter et generaliter suprascript. in dicta carta content. et cetera in communi forma cartarum Baronetis concess. Apud Aulam de Quhythall vigesimo octavo die mensis Maii Anno Dni. Millesimo sexcentesimo vigesimo quinto.

Per Signetum.

¹ This Register consists of three volumes. The first and most important is deposited in the General Register House, and contains Letters from January 26, 1626, to last of December 1631. The other volumes are in the Advocates Library: they contain, besides a portion of an earlier date, Letters from February 12, 1626, to July 1627; and from July 14, 1630, to June 24, 1635, being duplicate copies, so far as the dates correspond, each volume thus supplying portions not in the others.

1625.
July 10.

TO THE PRIVY COUNCIL OF SCOTLAND ANENT BARONETTIS.

CHARLES R.

RIGHT trustie and right wel-beloued counsellour, right trustie and right wel-beloued cosens and counsellouris, and trustie and wel-beloued counsellouris, We GREETE YOU WEL. UNDERSTANDING that our late deare Father, after due deliberatioun, for furthering the Plantatioun of NEW SCOTLAND, and for sindrie other goodo consideratiounis, did determine the creatting of Knight Baronettis thair; and that a proclamatioun wes maid at the mercatt croce of Edinburgh, to gif notice of this his Royall intentioun, that those of the best sort knowing the same might haif tyme to begin first, and be preferred unto otheris, or than want the said honnour in their awne default: AND UNDERSTANDING likewayes, that the tyme appoyntit by the Counsell for that purpois is expyred, We being willing to accomplishe that whiche wes begun by our said deare Father, haif preferred some to be Knight Baronettis, and haif grantit unto thame signatouris of the said honnour, together with thrie mylis in breadth and six in lenth of landis within New Scotland, for thair severall proportiounes: AND now that the saidis Plantatiounes intendit thair, tending so much to the honnour and benefite of that our Kingdome, may be advanced with diligence, and that preparatiounes be maid in due tyme for setting furthe a Colonie at the next Spring, to the end that those who are to be Baronettis, and to help thairunto, may not be hinderit by comeing unto us for procurcing thair grantis of the saidis landis and dignitie, bot may haif thame there with lesse trouble to themselves and unto us, We haif sent a Commissioun unto you for accepteing surrenderis of landis, and for conferring the dignitie of Baronet upon suche as salbe fund of qualitie fitt for the samine, till the number appoynted within the said commissioun be perfited: AND THEREFORE OUR PLEASURE IS, That you exped the commissioun through the sealis with all diligence, and that you, and all otheris of our Privie Counsell thair, give all the lawfull assistance, that you can convenientlie afford for accomplisheing the said worke, whereby Colonies could be sett furth; and certifie from us, that as we will respect thame the more who imbrace the said dignitie and further the said plantatioun, so if ony Knight who is not a Baronet presume to tak place of one who is Baronet, or if ony who is not Knight stryve to tak place of one who hes the honnour from us to be a Knight, inverting the order usuall in all civile pairtis, WE WILL that you censure the pairty transgressing in that kynd, as a manifest contempnar of oure authoritie, geving occasioun to disturbe the publict peace. So recommending this earnestlie to your care, We bid you farewell. Windsore, the 19th of July 1625.

PROCLAMATIOUN CONCERNING BARONNETTIS.

1625.
August 31.

Apud Edinburgh penultimo die mensis Augusti 1625.

Forsameikle as our Souerane Lordis umquhile dearest Father of blissed memorie for diuers goode ressonis and considerationis moving his Ma^{tie} and speciallie for the better encouragement of his Hienes subjectis of this his ancient Kingdome of Scotland towards the plantatioun of New Scotland in America being graciously pleased to erect the heretable dignitie and title of Baronet as a degree of honour within the said kingdome (as formerlie he had done in England for the plantatioun of Vlster in Ireland) And being of intention to confer the said title and honnour of Barronet vpon suche his Ma^{ties} subjectis of the said ancient Kingdome of Scotland as wald be vndertakeris and furtheraris of the Plantatioun of New Scotland and performe the conditionis appoyntit for that effect Causit publick proclamation to be maid at the Mercat Croce of Edinburgh be advise of his Ma^{ties} Counsell of the said Kingdome geving notice to the cheiff gentrie and all his Ma^{ties} subjectis of that Kingdome of his Royall intention concerning the creating of Baronettis there, and that after a certain day now of a long tyme bypast prescrib'd be the said proclamation his Ma^{tie} wald proceed to the creating of Barronettis and conferring the said title and honnour vpon suche personis as his Ma^{tie} sould think expedient having performed the conditionis appoyntit for the said Plantatioun To the effect the cheifest Knightis and Gentlemen of the Kingdome having notice of his Ma^{ties} princelie resolution might (if thay pleasit be Vndertakeris in the said Plantatioun and performe the appoyntit conditionis) be first preferred be his Ma^{tie} and haue the said heretable honnour and title conferred vpon thame and there aires maill for ever or otherwayes be there awne neglect and default want the same And now our Souerane Lord being most carefull and desirous that his said vmquhile dearest Fatheris resolution tak effect for the weele of this his said Kingdome and the better furtherance of the said Plantatioun and otheris good considerationis moving his Hienes, His Ma^{tie} hathe already conferred the said heretable honnour and title of Barronet vpon diuers his Ma^{ties} subjectis of this his said kingdome, of goode parentage, meanis and qualitie and grantit chartouris to thame and there airis maill for evir vnder the Grite Seale of the said kingdome containing his Ma^{ties} grant vnto thame of the said dignitie and of the particular landis and boundis of New Scotland designit vnto thame of the said dignitie, and of the particular landis and boundis of New Scotland designit vnto thame and diuers liberties and priuiledgeis contenit in there saidis patentis and is of the intention to grant the like to otheris And for the better furtherance of the said

Plantatioun and performe the conditionis appoyntit for that effect and to haif the said honnour and title conferred vpon thae may not be hinderit nor delayit be going to Court to procure from his Ma^{tie} there severall patentis and grantis of the said dignity and landis in New Scotland to be grantit to thame but may haif the same heir in Scotland with lesse truble to his Ma^{tie} and chargis and expenssis to thame selfis His Ma^{tie} of his royall and princelie power and speciall favour hathe gevin and grantit a commission and full power to a select number of the Nobilitie and Counsell of this Kingdome whose names are particularlie therein insert or ony five of thame the Chancellair Thesaurair and Secretair being thrie of the five to ressaue resignationis of all landis within New Scotland whilk sal happin to be resignit be Sir William Alexander knight Maister of Requestis to his Ma^{tie} for the said kingdome and his Ma^{tie} Lieutenant of New Scotland in favouris of whatsom-eir persenis and to grant patentis and infestmentis thairof againe to thame Together with the said heretable honnour and title thay haveing alwayes first performed to the said Sir William Alexander his aires or assignayis or thair laughfull commissionaris or procuratouris haveing there powers the Conditionis appoyntit for the furtherance of the said Plantatioun and bringing thame a certificat thairof in write vnder the handis of the said Sir Williame or his foirsaidis to be shewn and producit before the saidis commissionaris And his Ma^{tie} haveing likewayes gevin informatioun to the Lordis of his Secreit Counsell of this kingdome to certifie his subjectis thereof concerning his princelie will and pleasure anent the place due to the Barronettis and Knightis of the said Kingdome THAIRFORE the saidis Lordis of Secreit Counsell to the effect that nane pretend ignorance Ordanis letteris to be direct chargeing herauldis and officiariis of armeis to pas to the mercat croce of Edinburgh and all otheris placeis neidfull and mak publict intimatioun to all his Ma^{tie} leiges and subiectis of this kingdome That all suche as intend to be Barronettis and Vndertakeris in the said Plantatioun and to performe to the said Sir Williame or his foirsaidis the Conditionis appoyntit for the furtherance of the said Plantatioun and haveing a certificat vnder his hand as said is may repair and resort to the saidis Commissionaris at all tymes convenient and ressaue grantis and patentis from thame vnder the Grite Seale of this Kingdome of the landis of New Scotland to be resignit in there favouris to the said Sir Williame or his foirsaidis with the like liberties and priviledgeis and otheris whatsoever as ar grantit to the Barronettis alreadie maid in thair patentis alreadie past vnder the said Grite Seale, and of the said heretable title and honnour of Barronett to thame and there aires maill for ever and tak place and precedence according to the dates of their severall patentis to be grantit to thame and ne otherwayes. And in like maner to mak publicatioun that his Ma^{tie} princelie will and pleasure is That the Barronettis of this Kingdome maid and to be maid, haif, hald, tak, and enjoy in

all tyme comeing freeilie but ony impediment the place prioritie and precedence in all respectis grantit to thame in thair severall patentis vnder the said Grite Seale and that no Knight, Laird, Esquire, or Gentleman whatsoever who is not a Barronett presume in ony conventioun or meeting or at ony tyme place or occasioun whatsoever to tak place precedence or præminence befor ony who is or sal heirafter be maid a Baronet neyther ony who is not a Knight tak place befor ony who hathe the honnour to be a Knight thereby inverting the ordour vsed in all civile pairtis Certifieing all his Ma^s leiges and subjectis of this his kingdome and everie ane of thame who sall præsume to do in the contrair heirof That thay sall be most severlie punist be his Ma^{tie} and the saidis Lordis of his Counsell as manifest contemptaris of his Ma^{ties} royall power and prærogative and thereby geving occasioun to disturb the publick peace.

Subscribitur ut supra.

[GEO. CANCELL.	ROXBURGH.
MORTOUN.	MELROS.
WINTOUN.	LAUDERDAILL.]
BUGCLEUGH.	

CONVENTIOUN OF ESTATES:—ANENT BARONETTIS.

1625.
November 2.

Apud Edinburgh secundo die mensis Novembris 1625.

Anent the Petitioun gevin in be the small Barronis propoorting that thay sustent verie grite prejudice by this new erectit Ordour of Barronettis and the præcedencie grantit to thame befor all the small Baronis and Freehalderis of this kingdome whairin thay pretendit grit præjudice in thair priviledgeis and dignitiis possess be thame and thair prædecessouris in all præceding aiges and thairfoir thay desyrit that the Estaittis wald joyne with thame in thair humble petitioun that his Ma^{tie} might be intreatted to suspend the præcedencie grantit to thir Barronettis vntill the tyme that the Plantatioun for the whilk this dignitie is conferred be first performed be the Vndertakeris Whairupon Sir William Alexander cheiff vndertaker of this Plantatioun being hard and he having objectit unto thame his Ma^s royall prærogative in conferring of honnouris and titles of dignitie in matteris of this kynd importing so far the honnour and credite of the cuntrey and that his Ma^s prærogative wald not admitt ony sort of opposition, and that this suspensioun of the Vndertakeris præcedencie wald frustratt the whole Plantatioun After that the small Barronis had most humblie protestit that the least derogation to his Ma^s royall prærogative sould never enter in thair hairtis and that thair

Petitioun was in no sort contrair to the same, and that thay acknowledged that the conferring of honnouris did properlie belong to his Ma^{tie} as a poynt of his royall prærogative And thay undertooke that if it wer fund meete be his Ma^{tie} and the Estaittis that this Plantatioun sould be maid that thay vpoun their awin chairgis wald vndertak the same without ony retributioun of honnour to be gevin thairfoir. The Estaittis haveing at lenth hard both the partyis It was fund be pluralitie of voittis that the Estaittis sould joyne with thame in their petitioun foirsaid.

1625.
November 8.

EXTRACT FROM THE COUNSALL'S LETTER.¹

MOST SACRED SOVERANE

The Convention of your Majesties Estaittis, which, by your Ma^s direction wes callit to the tuentie sevent day of October last being that day verie solemnelie and with a frequent and famous number of the Nobilitie Clergy and Commissionaris for the Shyres and Burrowis præcislie kept, and the Taxatioun grantit, as our former letter to your Majestie did signifie.

Upon the first secoud and thrid day of this moneth the Estaittis having proceeded to the consideratioun of the Propositions and Articles sende downe be your Ma^{tie} &c.

After that all thir Articles wer propouned hard discussit and answeirit be the Estaittis in maner foirsaid Thair wes some petitions gevin in be the small Baronis and Burrowis whairin thay craved that the Estaittis wald joyne with thame in their humble Petitioun to your Ma^{tie} for obtaining your allowance thairof

They had ane other Petitioun and greevance foundit vpon the præjudice alledged sustenit be thame by this new erectit Ordour of Barronettis and the præcedencie grantit to thame befor all the small Barronis and Frievalderis of this Kingdome whairin thay prætendit grite præjudice in their priviledgeis and dignityis possess be thame and thair prædecessouris in all præceding aiges And thairfore thair desire wes that the Estaittis wald joyne with thame in their humble Petitioun That your Ma^{tie} might be intreated to suspend the præcedencie grantit to thir Barro-nettis vntill the tyme that the Plantatioun for the whilk this dignitie is conferred be first performed be the vndertakeris Whairupon Sir William Alexander cheif vndertaker in this Plantatioun being hard and he haveing objectit vnto thame your Ma^s royall prærogative in conferring of honnouris and titlis of dignitie in matteris of this kynd importeing so far the honnour and credite of the cuntrey

¹ This Letter is printed at length in the Acts of Parliament, vol. v. p. 185-188.

And that your Ma^s prerogative wald not admit ony sort of oppositioun and that this suspensioun of the vndertakeris præcedencie wald frustratt the whole Plantatioun After that the Small Baronis had most humble protestit that the least derogatioun to your Ma^s prerogative sould never enter in thair hairtis and that thair petitioun wes in no sort contrair to the same bot that thay acknowledged that the conferring of honnouris did properlie belong to your Ma^{tie} as a poynt of your royall prerogative And thay vndertooke that if it wer fund meete by your Ma^{tie} and the Estaittis that this Plantatioun sould be maid That thay vpoun thair awne chargeis wald vndertak the same without ony retributioun of honnour to be gevin thairfoir. The Estaittis haveing at lenth hard bothe partyis It wes fund be pluralitie of voitis that the Estaittis sould joyne with thame in thair Petitioun fairsaid to your Majestie.

(*Sic subscribitur.*)

Edinburgh

Octavo Novembris 1625.

GEO. HAY.

MAR.

MORTOUN.

WYNTOUN.

LINLITHGOW.

ROXBURGH.

MELROS.

B. DUMBLANE.

ARC^d. NAPER.

TO THE COUNSALL.

[CHARLES R.]

1626.
February 12.

Right trustie and weilbeloved Counsellour Right trustie and weilbelovit Cousines and Counsellours Right trustie and weilbeloved Counsellours and trustie and weilbeloved Counsellours We Greet you weill Wheras our late dear Father did determyne the Creating of Knyghts Barronetts within that our Kingdome haveing first had the advyse of his privie Counsall thervnto whose congratulatorie approbation may appear by a letter of thanks sent vnto him thairefter And sieing the whole gentrie war advertiseid of this his Royall resolution by publict proclamations that these of the best sort knowing the same might have tyme to begin first and be preferred vnto vthers or then want the said honour in ther awin default a competent tyme being appoynted vnto them by the said Counsall that they might the more advysedlie resolve with them selfis therein In consideration whairof we wer pleased to give a commission vnder our great seall wherby the saidis Knights Barronetts might be created according to the conditions formerlie condescendit vpoun And heirefter learing that sindrie gentlemen of the best sort wer admitted to the said dignitie we never haveing heard of aney complaynt against the same till the work efter this maner was brought to perfection it could not bot seame strange vnto ws that aney thereafter should have presented such a

petition as was gevin to the last Conventioun so much derogatorie to our Royall prerogative and to the hindering of so worthie a work or that the samyne should have bene countenanced or suffered to have bene further prosecuted Now to the effect that the said work may have no hinderance heirefter our pleasur is that the course so advysedlie preseryved by ws to the effect forsaid may be made publictlie known of new wairning the said gentrie that they may ather procure the said dignitie for them selfis or not repyne at others for doeing the same And that you have a speciall care that none of the saidis Knyghts Barronetts be wronged in ther priviledges by punisching aney persone who dar presum to doe any thing contrarie to ther grants as a manifest contemner of our authoritie and disturbers of the publict peace And if it shall happin heirefter that the said Commission by the death or change of any persones appoynted Commissioneris to this effect shall neid be renewed Our further pleasur is that at the desyre of our trustie and weilbelovit Counsellour Sir William Alexander kny^t our Secretarie or his aires the same be gevin of new to the Commissioneris of our Exchequer the Chancellour Thesaurer or Thesaurer deputie or aney tuo of them being alwyse of the number giving them such power in all respects as is conteyned in the former Commission with this additioun onlie that we doe heirby authorize our Chancellour for the tyme being to knyght the eldest sones of the saidis Knyghts Baronets being of perfyte aige of 21 zeires he being requyred to that effect And we will that a clause bearing the lyk power be particularlie insert in the said new Commission if vpoun the caussis forsaid it be renewed And that the samyne by our said Chancellour be accordingly performed. So we bid, &c. Whythall Feb. 12, 1626.

1626.
March 24.

TO THE LAIRD OF TRAQUAIR.

Trustie and weilbeloved, &c. We, &c. Thogh ther have bene warning gevin to all the gentrie of that our Kingdome by publict proclamation that they might in dew tyme come to be created Knyght Barronettis and not compleane heirefter of vtheris befor whom they might expect to have place wer preferred vnto them yet we have thocht fitt to tak particular notice of yow And the rather becaus it would seame that yow not knowing or mistaking our intention in a matter so much concerneing our Royall prerogative for the furthering of so noble a work did seik to hinder the same Therfor Our pleasur is that you with diligence embrace the said dignitie and performe the conditions as others doe or that yow expect to be heard no more in that purpois nor that yow compleane no more heirefter of others to be preferred vnto yow So not doubting but that both by your self and with others you will vse your best meanes for furthering of this work wherby yow may doe to ws acceptable service, We bid, &c. Whythall 24 March 1626.

TO THE CHANCELLOUR.

[CHARLES R.]

1626.
March 24.

Right, &c. Whereas we have gevin Ordour by a former letter that the Commission formerlie grantit by ws for creating of knyght Barronettis in that our kingdome might be renewed at the desyre of Sir William Alexander our Livetenent of New Scotland or his Hoynes whensoever they should desyre the samyne geving the power in tyme coming to the Commissioners of our Exchequer which the persones nominated in the preceiding Commission formerlie had and that the eldest sones of all Baronettis might be knyghted being of perfite aige of 21 yeirs whensoever they shall desyre the same according to ther patents vnder our greit seall give power to yow or our Chancellour thar for the tyme being to doe the same both for frieing ws from trouble and savinge them from charges which ther repairing thither for that purpois might procure Our pleasur is that yow caus renew and expoid the said Commission vnder our great seall as said is And in the meane tyme that yow knyght the eldest sones of all and everie ane of such Baronettis who being of 21 yeres of aige shall desyre the same without putting of them to any charges or expenssis For doeing whairof, &c. So we bid, &c. Whythall
24 March 1626.

TO THE LAIRD OF WAUGHTON.

1626.
March 24.

Trustie, &c. (as in the precedent till this place) Yit we have thocht fitt to tak particular notice of your self and house desyreing yow to performe the said dignitie of knyght Barronet and to performe the lyk conditions as otheris haveing the lyk honour doe which course we wish the rather to be takin by yow and others in regaird that so noble a wark as the plantation of New Scotland doeth much depend therpoun and as your willingnes to this our request shall not be a hinderance bot rather a help to ane further place that shalbe thocht fitt to be conferred vpon yow so shall yow heirby doe ws acceptable pleasur. We bid, &c. Whythall
24 March 1626.

TO THE LAIRD OF WEYMES.

1626.
March 24.

Trustie and weilbeloved We, &c. Haveing determined that the Creation of knyght Baronetts should preceid according as our late dear father with advyse of his Counsall had agried vpon Thogh all the gentrie of that our kingdome had warn- ing thair of by publict proclamation yet we ar pleased in regaird of the reputatioun of your house to tak more particular notice of yow And did pass a signatur of the said honour in your name wherin we thocht our favour would have bene accep- table vnto yow Therfoir these presents ar to requyre yow to pass the said signatur

and to performe the lyk conditions as others doe Or vtherwayes doe not compleane heirefter of the precedencie of others whom we will the rather preferre that by the embracing of the said dignitie they be carefull to further so worthie a work as doeth depend therevpon And as it is a nixt stepp to a further title so we will esteame of it accordinglie Thus willing yow to certifie bak your resolution heirin with all diligence to Sir William Alexander our secretarie who will acquaint vs therewith we bid you, &c. Whythall 24th March 1626.

1626.
March 30.

PROCLAMATIOUN ANENT BARONETTIS.

Apud Halyrudhous penultimo Martii 1626.

Forsamekle as our Soverane Lordis umquhile darrest Father of blissed and famous memorie out of his princelie and tender regaird of the honnour and credite of this his ancient kingdome of Scotland And for the better encouraging of the gentrie of the said kingdome In imitation of the verteous projectis and enterprises of others to undertak the Plantatioun of New Scotland in America determined with advise of the Lordis of his privie Counsell the creating of ane new heretable title of dignitie within the said kingdome callit Knight Barronet and to confer the same vpoun suche personis of goode parentage meanis and qualitie as wald be undertakeris in the said Plantatioun And of this his Royall and princelie resolution Importing so far the honnour and credite of the Kingdome publicatioun and intimatioun wes maid be opin proclamatioun with all solempnitie requisite to the intent those of the best not knowing the same might haif had time first to begin and to haif bene preferrit to otheris And then through their awne default or negligence the want of the said honnour to haif bene imputt to thameselffis Like as a competent tyme wes appoyntit and assignit be the saidis Lordis vnto thame for that effect whairthrow they might the more advisedlie haif resolved thairin And oure Souerane Lord following his said darrest Fatheris resolutionis in this poynt causit not onlie renew the said Proclamatioun Bot for the ease of his Ma^s subjectis and sauling of thame from neidles and unnecessair travell chargeis and expenssis grantit ane commissioun vnder his Grite Seale whairby the saidis Knightis Barronettis might be created and their patentis exped in this kingdome Like as accordinglie sundrie Gentlemen of the best sort embraced the conditioun of the Plantatioun wer admittit to the said dignitie of Barronet and no question or objection wes moved aganis the same till the worke wes brought to a perfectioun then some of the gentrie repynning at the precedencie done to thir Barronettis whilk proceedit vpon their awin sleughe and negligence in . t tymous imbracing the conditionis of the said Plantatioun They maid some publick oppositioun aganis the precedencie done to thir Barronettis and so did what in thame lay to haif hinderit the

Plantatioun fairsaid, whairof informatioun being maid to his Ma^{tie} and his Ma^{tie} considering the goode and necessar groundis whairby first his said darrest Father and then himself wer moved to creat the dignitie and ordour fairsaid of Barronetis and his Ma^{tie} continewing in a firme and constant purpois and resolutioun that the worke fairsaid sall yett go fordward and no hindrance maid thairunto Thairfore his Ma^{tie} with advyse of the Lordis of his Secreit Counsell Ordanis letters to be direct chargeing Officieris of armes to pas to the Mercat Croce of Edinburgh and otheris places noidfoll and thair be opin publicatioun mak said publicatioun and intimatioun of his Ma^s royall will and pleasur that the course so advysedlie prescryved be his Ma^{tie} to the effect fairsaid salbe yitt followit oute And thairfore to wairne all and sundrie the gentrie of this kingdome That thay either procure the said dignitie for thameselfis Or not repyre at otheris for doing of the same And to command, charge and inhibite all and sundrie his Ma^s leiges and subjects that nane of thame presume nor tak vpoun hand to wrong the saidis Knightis Barronettis in any of thair privilegedis nor to doe nor attempt any thing contrair to thair grantis and patentis Certifieing thame that sall failzie or doe in the contrair That thay salbe punist as contempnaris of his Ma^{tie} inclination and disturbaris of the publick peace.—

[Followis His Majesties Missive for Warrant of the Act above writtin.]

Right trustie and welbeloved Councillour, &c.—(See *supra*, p. 31.)

So We bid yow farewell Frome our Courte at Whythall the 12 of Februar 1626.

SIR ROBERT GORDON OF LOCHINVAR.

1626.
May 5.

Wheras the good schip named of the burden of tunnes or therabout whairof Capitan is licenced to pass to the southward of the Equinoctiall lyne These ar therfor to will and command yow and everie of yow to permitt and suffer the said schip with her furnitur and schips company to quhom we doe heirby grant the benefite of our proclamatioun in all respects which was gevin at our house of Hampton Court the 13 of Dec^r in the first year of our Reigne quyetlie and peaciablie to pass by yow without any let stay trouble or impresses of hir men or any vther hinderance whatsumevir whairof yow shall not fail. From the Court at Whythall 5 May of 1626.

To all Officeris of the Admiralty To all Capitanes and Masteres of schips in the seas And to all others to whome it may apperteane.

1626.
July 21.

KNIGHTING OF THE ELDEST SONS OF BARONETTIS.

Apud Halgrudhous vigesimo primo die mensis Julij 1626.

The whilk day Sir George Hay of Kinfaunis knight producit and exhibite before the Counsell the missive titles underwritin signed be the Kingis Ma^{tie} and direct to him and desired that the same title sould be insert and registrat in the Bookes of Secreit Counsell *ad futuram rei memoriam* Quhilk desire the saidis Lordis finding reasonable They haif ordanit and ordanis the said Letter to be insert and registratt in the saidis bookes to the effect fairsaid Of the quhilk the tenour follows

CHARLES R.

Right trustie, &c.—(See *supra*, p. 33.)

So We bid you fareweil Whitehall 24 of Marche 1626.

To our Right trustie and welbeloued Counsellour Sir
George Hay Knight Our Chancellour of Scotland.

FEEES OF BARRONETTIS.

1626.
July 28.

[CHARLES R.]

Right, &c. Haveing considered your letter concerning the fees that ar clamed from the knyght Barronets thogh at the first it did appear vnto ws that none could justlie challenge fees of them by vertew of any grant that was gevin befor that ordour was erected yet befor we would resolve what was to be done heirin we caused enquire of the cheff heraulds and other officers within this our kingdome wher the said dignitie of Barronet was first instituted by our late dear Father And doe find that the baronetts ar bund to pay no feys nor did pay ever any thing at all save that which they did voluntarlie to the heraulds of whom they had present vse And therfor sieing ther creation within that our kingdome is for so good a caus wherby a Colony is making readie for setting furth this next spring to begin a work that may tend so much to the honour and benefite of that kingdome we would have them everie way to be encouraged and not as we wryt befor putt to neidles charges and our pleaur is that none as Baronetts to be made be bund to pay feys bot what they shalbe pleased to doe out of ther owin discretion to the heraulds or to any such officers of whom they shall have vse And as for ther eldest sones whensoever any of them is cum to perfyte aige and desyrs to be knighted let them pay the feys allowed hertofoe to be payed by other knights For doeing wherof We, &c. Oatlandis 28 July 1626.

KNIGHTIS BARONNETTIS AND THE HERALDIS.

1626.
September 20.*Apud Halyrudhous vicesimo Septembris 1626.*

The whilk day the Letter underwritin signed be the Kingis Ma^{tie} conteneing a declaration of his Royall Will and pleasure anent the fees acclaimed be the Herauldis and otheris from the Knyghtis Barronettis and thair eldest sones being presentit to the Lordis of Secreit Counsell and red in an audience They allowit of his Ma^{ties} will and pleasure thairanent And Sir Jerome Lindsay knight Lyon King at armes being callit upon and he compeirand personalie and his Ma^{ties} will and pleasure in this matter being intimat vnto him he with all humble and deuitifull respect promiseist that obedience suld be given thairanent. Of the whilk Letter the tenour followis.

CHARLES R.

Right trustie, &c.—(See *supra*, p. 36.)

And so We bid you farewell From our Courte at Oatlandis the 28 of Julij 1626.

PLANTATIOUN OF NEW SCOTLAND.

1627.
January 17.

[CHARLES R.]

Wheras Sir William Alexander kny^t our Secretarie for Scotland haueing gevin band to the knyght barronetts of that our kingdome that of all such money as he hath or is to receave from them he shall imploy the just two parts thairof for setting furth a Colony for the plantation of New Scotland which is to be estimated and considered according to the conditions agreed vpon betweene him and the said knyghts baronets And the said Sir William haueing for performeing his part prepared a schip with ordinance munition and all other furnitour necessar for hir as lykwyse another schip of great burden which lyeth at Dumbartane togidder with sindrie other provisions necessarie for so far a voyadge and so great work therfor that the treuth thairof may be publicklye knowen and that all such monnyis as he hath disbursed heirvpon may be trewlye summed vp Our pleasur is that haueing surveyed the said schip yow estimat and value hir to the worth as lykwyse other furniture and provisions that yow find in hir or to be sent with hir for this purpois and with all his charges he hath bene heir for the same and thairefter that yow delyver vnto him a trew Inventure and Estimat therof vnder your hands that it may heirefter serve for clearing his accompts with the said knyght Barronetts and for haueing the same allowed vnto him by them, &c. Whythall 17 Ja^r 1627.

1627.
January 17.

[CHARLES R.]

TO THE EARL OF TOTNES.

Whereas Sir William Alexander Kny^t our Secretar for Scotland is to buy for the vse of two schipps to be employed in our service 16 Minner 4 saker and 6 falcour our pleasur is that yow permitt him or his servandis without impediment to transport the same vnto the said kingdome wher for the present one of the said schipps doo by provydeing that the said Sir William find suretie for the right employment of the saidis Ordinance according to the custome and for so doeing, &c. Whythall 17 Ja^r 1627.

Direction—

To our right trustie and weilbeloved cousen and counsellour the Earl of Totness Mr of our Ordinance within our kingdome of England.

1627.
January 19.

CHARLES R.

TO SIR JAMES BAILLIE.

Whereas Sir William Alexander o^r Secretarie for Scotland had a warrant from our late dear Father which is ratified by us to o^r Trer. of England for payment of the soume of Six thousand pounds sterling which lang since was intended to have bane payed here but seeing now it may be more convenientlie done out of this casuall commoditie wherewith Wee have apponted you to intromett Our pleasure is and We will you to pay vnto the said S^r William or his assignes the said soume of Six thousand pounds sterling and that out of the first readiest moneyes that you haue or shall receaue for our part of the prises taken or to be taken within that our kingdome for doing whereof these pnts. shall be vnto you a sufficient warrant Given at o^r Court at Whitehall the 19 of January 1627.

To o^r trustie and welbeloued S^r James Baillie Treasurer of o^r Marine causes within o^r kingdome of Scotland.

1627.
January 26.

TO THE EARLE MARSCHELL OF SCOTLAND.

[CHARLES R.]

Right, &c. Whereas our late dear Father was pleased to creat knyght Barronets within Scotland as he had done in his vther kingdomes and that for a honorable cause for enlarging the Christiane fayth and our dominions And we understand that sindrie of the most ancient gentrie embracing the said dignitie having payed these moneyis condescendit vpon for their part towards the plantation of New

Scotland Thogh ther have bene sufficient warning gevin to all the gentrie of that our kingdome hath in the time of our said late dear Father and in ours notwithstanding it be in our power frielic to conferre honour vpon any of our subjects as we in our judgment shall think they deserve yet out of our gracious favour we ar willing that everie one of the said gentrie have the place which may be thought due vnto them in so far as can clearlie be discerned or otherways that they be inexcusable by neglecting so fair ane opportunitie as by this meanes is presented vnto them and considering that it doeth most properlie belong to your Charge as Marschell to judge of ranks and precedencie thocht it be difficult to knowe wher so many ar of equal qualitie yet to the effect that they be ranked in some measur as neir as can be that place which may be thought to be their due Our pleasur is that assumeing to your self such assessours here present as you shall think requisite you condescend vpon such a number as yow and they shall think fitt to be barronetts ranking them as yow shall think expedient that out of that number the barronetts limited by the Commission may be selected to the effect we may pass ther signatures accordinglie So that by embracing the said place in due tyme may mak vse of this our gracious favour and otherwyse least our trustie and weil beloved Sir William Alexander our Secretar who is our Lieutenant of the said Cuntrie and who besyds he is now to sett furth in this Spring hath bene at great charges heretofor in the work of that Plantation should be dissabled from prosecuting of that purpos we ar willing that he proceed with such others as yow shall think fitt to manteane that dignitie for Wee desyre that the ancient gentrie may be first preferred but if they by neglecting so noble ane interpryse shall not mak vse of our favour in this we think it good reasone that these persones who have succeeded to good estates or acquyred them by ther owin industrie and ar generouslie disposed to concurre with our said servand in this Interpryse should be preferred to the said dignitie and to this effect that yow mak them in maner abovespecifeit haueing for your better proceeding heirin appoynted a Roll to be given yow of diverse of the names of the said gentrie as ar knownen to be of qualitie which wher considered by yow in maner foresaid and haueing selected such of them as yow shall find to be most fitt for this purpos that yow sett down a roll for them in ordour and rank vnder your own hand to be schawin vnto ws. And so, &c. Hampton Court the 26 of Jar 1627.

SIR W. ALEXANDER HIS COLONIE IN NEW SCOTLAND.

1627.
March 3.

[CHARLES R.]

Right, &c. Whereas for directiō. from ws a survey hath bene made of diverse provisions and necessities to be sent this Spring by our trustie and weilbelovēd

Counsellour Sir William Alexander our Secretarie for the vse of a Colony to be planted in New Scotland wherby it doeth evidentlie appear as is reported bak vnto vs by the survegheeris that the said Sir William hath bene at much more charges than as yit he hath received moneyis for the knyght Barronetts of that our kingdome who hath condescended according to ther severall bands made to him for advancing of such moneyis towardis the said plantation so that of the number of persones condescended vpon by our late Father and approved by vs to have the style of knyght Barronetts should . . . fullie compleit or if that tymelie satisfaction be not gevin according to ther bandis that hopefull work so much recommended to vs by our said Father and vs is lyklye to desert and our said servand who hath bene first and last at so great charges therin vtterlie vndone in his estate And in regard by reasone of our service heir that his absence from thence wilbe a great hinderance to the bringing of this purpois of the Baronetts to perfection we have thought good heirby to desyre yow whois effectuell assistance we ar confident may much conduce to this purpois that yow may vse your best [endeavours] both in privat and publict as yow shall think most fitt for bringing the said purpois to some perfection when we will expect your best endeavours seeing it is a matter we speccallie respect. Newmarket, 3 March 1627.

1627.
March 10.

TO THE TREASURER OF ENGLAND.

[CHARLES R.]

Right, &c. Whereas the good shipp called the *Swallow*, of the burthen of one hundereth and 20 tunnes, or thereabouts, now in the River of Thames (whereof Ninian Barclay is captaine), is loaden with powder, ordonance, and other provisions, for the vse of a plantation, ordained to be made in New Scotland, by our speciall direction, and for the vse of ane other shippe, of the burthen of 300 tunnes, now lying at Dumbartan, in Scotland, which is likewise to goe for the said plantation of New Scotland: Our pleasure is, that you give order to all whom it concerneth. that the said shippe, with all her provisions, furniture, and loading, as being for our own particular service, may pass from the river of Thames, without paying custome, subsidie, or any other duetie, and free from any other lett or impediment: And for your so doeing, this shalbe your sufficient warrant. Theobaldes, the 10 of Merche, 1627.

To our right trustie and welbeloved cousin and counsellor,
the Earle of Marleborough, our heigh Tressurer of
England.

SIR WILLIAM ALEXANDER TO SECRETARY NICHOLLS.¹

1627.
April 9.

Sr.

There is a Shipp called the Morning Starre which is tyed in consort to attend a Shippe of mine in her intended voyage to Nova Scotia to doe his Ma^{tie} Service (which I know you are not ignorant of) the which shipp is now stayed lying in Dover Road, and not willing to depart vntill such tyme as she be released by his Cr^s [Creditors?]: the M^rs name is Andrew Baxter who is readie to attend to his Cr^s demands and directions att all occasions. I doe therfore intreate you that you will doe me that favo^r to move his Cr^s concerninge the release of the said shipp, seeing it concernethe his Mat^{ies} service so much, the staye whereof will be the overthrowne of this voyage: ffor which favor I shall be ready to doe you the like courtesie when any the like occasion of yours shall present. In the meane tyme I rest
Yo^r lovinge ffriend
W^m ALEXANDER.

Whitehall, this 9th of April 1627.

This Shipp was cleered a fortnight before the restraynt to goe in hir intended voyage.

(*In dorso.*) To My very worthy and much respected ffriend

Mr Edward Nicholls Secretarie ffor the Admiraltie
for the Lord Duke of Buckinghame.

GRANT TO SIR WILLIAME ALEXANDER.²

1627.
May 3.

Grant to Sir Will. Alexander. His patent of 12 July 1625 for all the lands and dominions of Nova Scotia is recited, and Admiralty jurisdiction of those parts granted to him and his heirs, with power to seize vessels belonging to the King of Spain, the Infanta Isabella, or others, His Majesty's enemies. (Latin)

Whitehall, 3d May 1627.

TO THE COUNSELL

[CHARLES R.]

1627.
November 29.

Right, &c. Wharcas we have conferred the place of cheef Secretarie of that our kingdome vpon our trustie and weelbeloved counsellare, Sir William Alexander, together with the keeping of the Signet thare, and all fees and profits tharevnto belonging, according to our guift granted vnto him tharevpone: Tharefore wee doe heirby require you, from time to time, to be aiding, and assisting vnto the said Sir Williame, and the keepers of the said Signet, for the time, for the

¹ Colonial Papers Calendar, p. 84.

² Ib. p. 84.

better wplifting and enjoying of the fees thareof, and all such benefittes and priveleges as have bene heirtofore receaved or enjoyed by any of his predecessors, Secretaries for that kingdome, and that in as beneficiall maner as anye of his saids predecessors or keepers of the said Signet formerlie enjoyed the same, at any time: And for your soe doing these our letters shalbe vnto you and them a sufficient warrant and discharge. Whitehall, the penult day of November 1627.

1627.
December 28.

TO SIR JAMES BAILYEE.

[CHARLES R.]

Trustie, &c. Heaveng been informed of the small benefit that doth arise vnto us by the Prises that are taken by the subjects of that our kingdome, and how that some of them have agreed with Sir Williame Alexander, our Secretarie, for a greater proportion out of the said Prises then was formerlie in vse to be payed vnto us: And in regard there are moneyis due long since by a precept granted by our late deir Father vnto the said Sir Williame, for ansuering whareof vnto him out of the said Prises, and according to the said condition, it pleased ws, at our last being heir, to give you direction: Thairefore Oure pleasour is, that, in our name, you wplift the said proportions of goods, or money soe agreed vpon, betwix him and the said persones; as likewise, that you agree with all others, whoe shal happen to tak Prises heerefter, for paying the like proportionable of moneyis or goods; And tharefter from time to time, as the said benefite shall happen to arrise, that you pay the same vnto the said Sir Williame, or his assignayis, and that vntill the said precept be completely satisfied: for doing whareof these presentis shalbe your warrant. Whitehall, the 28 day of December 1627.

1628.
March 18.

ANENT THE SEALE OF ADMIRALTIE OF NEW SCOTLAND.

Apud Halyrudhous decimo octavo die Mensis Martij 1628.

Forsameekle as the Kings Ma^{tie} by his letters patent vnder the Great Seale hes made and constitute Sir William Alexander knight Admirall of New Scotland; for the better exerceing of which office necessar it is that thair be a Seale of the Admiraltie of the said kingdome Thairfore the Lords o^r Secreit Counsell ordanis and commands Charles Dickieson, sinkear of his Majesties yrnies, to make grave and sinke ane Seale of the office of Admiraltie of New Scotland, to be the proper Seale of the said office, The said Seale having a shippe with all her ornaments and apparralling, the mayne saile onelie displayed with the armes of New Scotland bearing a Saltoire with ane scutcheon of the ancient armes of Scotland, and vpon the head of the said shippe careing ane vnicorne sittand and ane savage man standing vpoun the sterne both bearing St Androes Croce And that the great Seale

haue this circumscription, SIGILLUM GULIELMI ALEXANDRI MILITIS MAGNI ADMIRALLI NOVI SCOTIÆ: Anent the making graving and sinking of the which Seale the extract of this Act sall be vnto the said Charles a warrand.

A PASS TO SIR WILLIAM ALEXANDER, YOUNGER.

1628.
March 26.

[CHARLES R.]

Whereas the four schippis, called the¹
belonging to Sir William Alexander knight, sone to Sir Williame Alexander, our
Secretarie for Scotland; whereof the²
are to be set out towards Newfoundland, the River of Cannada, and New Scotland,
for settling of Colonies in those partes, and for other thare lafull offaires: Theis are,
therefore, to will and require you, and everie one of you, to permitt and suffer the
said schippes, and everie one of them, with thare wholl furneture, goods, merchan-
dice, schips companies, and planters, quietlie and peaceabillie in thare going thither,
returning from thence, or during thare being furthe in any other parte whatsoever,
till they shall happen to returne to any of our dominiones, To pas by you, without any
of your lettes, stayes, troubles, imprestis of ther men, or any other men, or any other
hinderance whatsoever: whereof you shall not fail. Whitehall, the 26 March 1628.

COMMISSION ANENT FUGITIVE SOULDEOURIS.

1628.
April 23.

Apud Halyrudhous vicesimo tertio die mensis Aprilis 1628.

Forsameekill as it is vnderstand be the Lords of Secreit Counsell that diuerse
persons who wer conduced and tane on be Sir Williame Alexander knight and his
officiars to have bene transported be thame for the plantatioun of New Scotland
haue most unworthilie abandoned that service and imployment refusing to per-
forme the conditionis of thar agreement To the disappointing of that intendit
Plantation which his Majestie so earnestlie affects ffor remedeing of which vndew-
tifull dealing The saids Lords recommends to the Shireffs Justices of peace and
Proveists and Bailleis within burgh, and thairwith all giues thame power and com-
missione everie ane of thame within thair awin bounds and jurisdiction, to take
tryell of all and sindrie persouns who haueing covenanted with the said Sir Wil-
liame Alexander or his officers to goe with thame to New Scotland, haue aban-
doned that service and runne away, and ather to compell thame to performe the
conditionis of thair agreement Or otherwayes to doe justice vpon thame according
to the merite of thair trespassse And that the saide Shireffs Justices of peace Pro-
vests and Bailleis within burgh concurre countenance and assist the said Sir Wil-

¹ Blank in MS.

² Line blank in MS.

liame Alexander and his officers in all and everie thing that may further and aduance the service foresaids And for this effect that the said Shireffs and others foresaids delyuer the said persouns to the said Sir Williame Alexander and his officers, it being first qualified that thay have ressaued money from the said Sir Williame and his officers, or that thay haue beene in service and interteaned by thame.

1628.
May 23.

[CHARLES R.]

TO THE EXCHECKQUER.

Right, &c. Whereas we gave order vnto you formerlie that the mariners, whoe hade been employed in our service, should be payed out of the first and reddiest moneyis of our Excheq^r, and that all former preceptis should be stayed till they wer first satisfied: Understanding that you have taken a course for payment thereof with the moneyis made of the goods of the Lubeck schip, which, by a former warrant given by ws vnto Sir James Baillie, should have been employed towards the payment of the soume of 6000 lb. Sterling, first granted vnto our trustie and weelbeloved counsellare, Sir William Alexander, oure Secretarie for that our kingdome, by our late dear Father, and thereafter particularlie appointed by ws to be payed vnto him, out of our parte of what should fall due vnto ws out of any prise: Our plesoure is, that you call Sir James Baillie before you, and, heaving tryed of him what part had he been payed of the said soume, that you give order for payment of the rest, out of the rediest moneyis arrising due vnto ws by the Prises, in maner foirsaid; as likewayis, out of the fines due vnto ws by all such persons whoe have transgressed the Act of Parliament maid in Anno 1621, against the conceallers or wrangous upgivers of moneyis lent by them: for doing whereof, these psesents shall be your sufficient warrant and discharge. Given at our Court at Whythall, the 23 of May 1628.

1628.
June 30.

TO THE TREASURER OF ENGLAND.

[CHARLES R.]

Right, &c. Whereas the Lord Naper, our Treasurer Deputie in our kingdome of Scotland, hath informed ws, that divers soumes of money, which, for our service wer payable out of our Excheckq^r heir, have been payed out of our Excheckq^r thare: Our pleasour is, that taking vnto your assistance Sir William Alexander, our Secretarie for that kingdome, you call for such accomptis of that kind as our said Treasurer Deputie shall exhibit vnto you, and after you have perused the same, that you report vnto ws what moneyis you find to have been soe delivered, to the effect we may thereafter giue such order touching the same as we sall think fitt. See We, &c. Whythall, the last of June 1628.

TO THE EXCHECKQUER.

[CHARLES R.]

1628.
July 11.

Right, &c. Heaving hade many prooffes and good experience of the sufficiencie and abilities of our trustie and weelbeloved Counsellare, Sir William Alexander of Menstrie Knight, our principal Secretarie for that our kingdome, and of his good affectione to doe ws service, by performing our trust reposed in him : Wee are moved, in regard thareof, and for his better encouragement, and enabling him for our said service, to advance and promote him to be one of the Commissioners of our Excheckq^r in that kingdome. It is therefore our will and pleasor, and wee doe heirby require you, that, heaving administrat vnto him the oathe accustomed in the like caise, yee admitt him to be one of the Commissioners of our said Excheckq^r, receaving him in that place, as one of your number : ffor doing whareof, these presents shalbe vnto you, and everie of you, a sufficient warrant. Given &c. at Whithall, the 11 of July 1628.

TO THE EXCHECKQUER.

[CHARLES R.]

1628.
November 7.

Right, &c. Whareas wee were formerlie plessed to assigne the payment of Sax Thousand punds Sterling, granted by our late dear Father to our trustie and weelbeloved counsellare, Sir William Alexander, our Secretarie, his airs and assignais, to be paid out of the benefit arysing to ws out of the Pryses, or concealed moneyis due by the taxationes ; heaving hard from you how convenient it wer, that our share of the Pryses, for the incres of our custumes, should be lett out with them, according to that overture made by John Peebles for farming of the custumes, tending soe much to the advancing of our realme, which we wisch to be fordered, We are pleased tharewith ; but withall, that the said Sir William be not disapointed of that which doth rest vnto him vnpayed of the said grant, Oure plesour is, that heaving hard from Sir James Bailyee, that the said Sir William have resaved out of the said prises or otherwayis, that you caus our receavers or custumers intromet with the said part of the prises to our vse, after such maner as you shall think expedient, and that you give order, that the said Sir William, his airs and assignais, may be payed out of our rentis, custumes, and casualities, or concealment fforseids, of the said remainder ; as likewayis, in consideration of his long want of the samen of that part of the Prise wines due vnto ws, which he should have hade bot was given for payment of the mariners : ffor doing whareof, and for securing him thareof in any maner you shall think it fitt, these presents shalbe vnto you a sufficient warrant. Whithall, the 7 of November 1628.

1628.
November 18.

TO HIS MAJESTIE IN FAVOURS OF SOME UNDERTAKERS
FOR NOVA SCOTIA.

MOST SACRED SOUERANE.

We haue beene petitioned in name of some interested in New Scotland and Canada holdin of your Ma^{ties} crowne of this kingdome humbly shewing that by vertue of rights of lands made vnto thame by your Ma^{tie} or by Sir William Alexander your Ma^{ties} lieutenant of these bounds they haue alreadye adventured sowmes of money for setting furth of a Colonie to plant there and intending God willing to prosecute the same And that they understand that by reason of a voyage made by one Captaine Kich thither this last Sommer there are some making sute to your Majestie for a new Patent of the saids lands of Canada and of the trade thair of to be holdin of your Ma^{ties} Crowne of England; which in our opinion will prove so derogatorie to this your ancient kingdome, vnder the Great Seale whereof your Ma^{tie} has alreadye granted a right to the saids bounds And will so exceedingly discourage all vndertakers of that kynde as we cannot but at thar humble sute represent the same to your Ma^{tie} humbly intreating that your Ma^{tie} may be graciouslie pleased to take this into your princelie consideration as no right may be hereafter graunted of the saids lands contrarie to your Ma^{ties} said preceding graunt But that they may be still holdin of the Crowne of this your ancient kingdome according to the purport and trew intention of your Ma^{ties} said former graunt And we are verie hopefull that as the said Sir William Alexander has sent furth his Sonne with a Colonie to plant there this last yeere So it shall be seconded hereafter by manie other Vndertakers of good worth for the advancement of your Ma^{ties} service increase of your revenues and honour of this your said ancient kingdome And so with the continuance of our most humble services and best prayers for your Ma^{ties} health and happines We humbly take leave as your Ma^{ties} most humble and faithful servants

(*Sic Subscribitur.*)

MAR.

MONTEITH.

HADINTOUN.

WINTOUN.

LINLITHGOW.

LAUDERDAILL.

TRACQUAIR.

A. CARRE.

ARCH. ACHESOUN.

ADVOCAT.

CLERK REGISTER.

SIR GEORGE ELPHINSTOUN.

SCOTTISTARVETT.

Halyrudhous, 18 Novembris 1628.

COMMISSION TO SIR WILLIAM ALEXANDER AND OTHERS to
make a voyage into the Gulfe and River of Canada, and the parts adjacent, for
the sole trade of Beaver Wools, Beaver Skins, Furrs, Hides & Skins of Wild
Beasts. 4 Car. 1. [4 Feb. 1629.¹]

1629.
February 4.

AN EXTRACT OF THE PATENT GRAUNTED TO S^R WILLIAM
ALEXANDER CONCERNING CANADA.² [1629?]

In the Commission graunted to S^r William Alexander the Youager & others
(whereof the Preface alleageth the Discovery made by them of a beneficiall Trade
for divers Comoditys to be had in the Gulf & River of Canada & parts adjacent
and his Ma^{ties} Resolution thereupon to incorporate them for the sole Trading in
these parts upon further Discovery to be made by them.

The said S^r William Alexander, &c. are assigned as Com^{ers} for the making of a
Voyage into the said Gulf, River & parts adjacent for the sole Trade, &c. with
Power to settle a Plantation within all the Parts of the said Gulfe & River above
those parts which are over against Kebeck or the south side, or above Twelve
Leagues below Todowsack on the North side.

Prohibiting all others to make any Voyage into the said Gulfe or River, or any
the parts adjacent to any the purposes aforesaid upon payne of Confiscation of
their Goods & Shipping so employed, which the Comissioners are authorized to
seize unto their owne use.

Power given them to make Prize of all French or Spanish Ships & Goods at
Sea or Land, &c. and to displant the French.

Power of Government amongst themselves.

Covenant of further Letters Patents of Incorporation or otherwise for settling
the Trade & Plantation.

Saving of all former Letters Patents.

TO THE ERLE OF MONTEATH, SIR WILLIAM ALEXANDER, AND
SIR ARCHEBALD ACHESONE. [1629.
[May 2.]

[CHARLES R.]

Right, &c. Whereas, according to the course begun by our late deare Father,
Wee wer pleased to give order for creating of knight Baronettis within that our
kingdome, for the planting of th^e Plantations of New Scotland, as the commissione
given for that effect particularlie beares, and heaveing awayis a desire that those

¹ Colonial Papers, p. 96.

² Ib. p. 96.

of the most antient families and best estates might be first preferred; notwithstanding that they had been duellie warrant by proclamatione for that purpos, yet out of our earnest desire to give them all ressonabill satisfactiōe, wee did sign Patents for sundrie of them, that, in cas they should in due time accept thareof, they might tak place from the signing the same, notwithstanding that others, whose patentis wer signed by ws tharefter, had passed our Great Seall before them. And becaus the most part of those patents being signed by ws at one time, wee suld not then give order by making of them of severall dates for thare particulare proceedingis as was requirit, Oure Pleasour is, that you, or any twoe of you, heaveing considered of the qualitie and estate of these for whome such patents wer signed, doe fill wpp the dates of everie one of them, as yow in your discretione shall think fitt: for doing whareof, these presents shalbe vnto you a sufficient warrand, which Wee will you to insert in your books of Counsell or Sessione, iff yee shall find it expedient. And soe, &c. From our Court at Greenwich.

1629.
October 17.

TO THE COUNSELL.

[CHARLES R.]

Right, &c. Whereas our trustie and weelbeloved Sir William Alexander our Secretarie, hathe agreet withe some of the heads of the cheef Clannes of the Heighlands of that our kingdome, and with some other persones, for transporting themselves and thare followers, to settle themselves into New Scotland, as we doe very much approve of that course for advancing the said plantatiōe, and for debordening that our kingdome of that race of people, which, in former times, hade bred soe many troubles ther; soe since that purpose may werie much impart the publick good and quiet thareof, Wee are most willing that you assist the same, by all fair and lafull wayis; and becaus, as wee are informed, divers are willing to contribute for thare dispatche by thare means, Wee require you to tak the best and most faire counsel heirin that possibillie you can, that a voluntarie Contributione may be made fo. that purpos, in such maner as you shall think most fitt and that you substitute any persones whom you shall think expedient for the managing and collectione thareof. Given at Hamptōne Court, the 17 of October 1629.

1629.
November 17.

TO THE CONTRACTERS FOR BARRONETTS.

[CHARLES R.]

Right, &c. Whereas wee vnderstand that out of your regard to our service, and the honor of that our antient kingdome, for furthering the plantatiōe of New Scotland, soe oftentimes recommendit by our late dear Father, and by our self, you have agreet with our trustie, &c. Sir William Alexander, our secretarie for

Scotland, for advancing great sommes of money for that purpos, taking the benefitt that may arrise by the erections of Barronettis of the number granted vnto him, as yet to be made for your releef, Wee doe heartlie thank you for the same, and doe accept it as a most singulare service done vnto ws, wishing you to proceed with confidence and diligence, that the nixt supplie may go out in time, ffor wee wilbe werie sorie and loath to sie you suffer for soe generous ane actione, which may tend soe much to our honour, and the good of that our kingdome; and for your better encouragement, and more speedie repayment, whersoever any persone of qualitie fitt for the dignitie of Barronet hath any particulare favor to crave of ws, wee will and allow yow, according to the severall charge that any of yow hath from ws, to require them first to accept of the said dignitie, according to the conditiones formerlie condescendit vpon, with others which shall mak ws the more willing to gratifie them, ffor wee desire much to have that work brought to perfectione. Soe willing that this our letter be recorded in the books of our Counsell and Excheq^r, We, &c. Whitehall, the 17 Nov. 1629.

TO THE COUNSELL.

[CHARLES R.]

1629.
November 17.

Right trustie and right well-beloued Cousin and Counsellour, right trustie and well-beloued Cousins and Counsellouris, and right trustie and well-beloued Counsellouris, We Greeete you well.

Whereas, vpon good consideration, and for the better advancement of the plantation of New Scotland, which may much import the good of our service, and the honor and benefeitt of that our ancient kingdome, oure royall Father did intend, and we since have erected the order and titill of Baronet, in our said ancient Kingdome, which wee have since estabillished, and conferred the same vpon divers gentlemen of good qualitie; and sieing our trustie and weil-beloued counsellor Sir Willame Alexander knight, our principall secretarie of that our ancient kingdome of Scotland, and our Leiwetennant of New Scotland, whoe these many yeirs bygone has been at great charges for the discoverie thareof, hath now in end settled a Colonie thare, where his sone, Sir Willame, is now resident; and we being most willing to afford all possible means of encouragement that convenientlie wee can to the Barronettis of that our ancient kingdome, for the furtherance of soe good a wark, and to the effect they may be honored, and have place in all respectis, according to their patents from ws, We have been pleased to authorise and allow, as be theis presents for ws and our successors we authorise and allow, the said Lewetennant and Baronettis, and everie one of them, and thare heirs male, to weare and carry about their neckis in all time coming, ane orange tauney-silk ribbane, whairon shall hing pendant in a scutchion *argent a saltoire azeuer*, thairon ane

inscutcheene of the armes of Scotland, with ane imperiall crowne above the scutcheon, and incircled with this motto. FAX MENTIS HONESTÆ GLORIA: Which cognossance our said present Leivetenment shall deliver now to them from us, that they may be the better known and distinguished from other persones: And that none pretend ignorance of the respect due vnto them, Oure pleasure therefore is, that, by oppen proclamations at the markett crosse of Edinburgh, and all other head borrows of our kingdome, and such other places as you shall think necessarie, you caus intimat our Royal pleasor and intentione herin to all our subjectis: And if any persone, out of neglect or contempt, shall presume to tak place or precedence of the said barronettis, thare wifes or childring, which is due vnto them by thare Patents, or to wear thare cognossance, wee will that, vpon notice thareof given to you, you caus punish such offendars, by prisoning and fying of them, as you shall think fitting, that others may be terrieffed from attempting the like: And We ordane that, from tyme to tyme, as occasione of granting and renewing thair patents, or thair heirs succceeding to the said dignitie, shall offer, That the said poware to them to carie the said ribbine, and cognossance, shalbe tharein particularlie granted and inserted; And Wee likewise ordaine these presents to be insert and registrat in the books of our Counsell and Exchequer, and that you caus registrat the same in the books of the Lyone king at armes, and heraulds, thare to remain *ad futuram rei memoriam*; and that all parties having entres [interest] may have autenticke copies and extractis thareof: And for your see doing, These our lettres shalbe vnto you, and everie one of you, from tyme to tyme your sufficient warrant and discharge in that behalf. Given at our Court of Whyt-hall, the sevinteinthe of November 1629.

To our right trustie and right well-beloued cousin and counsellour; to our right well-beloued cousins and counsellouris; to our right trustie and well-beloued counsellouris; and trustie and well-beloued counsellouris, the Viscount of Dupleine, our Chancelior of Scotland, the Earle of Monteith, the President, and to the remanent Earls, Lords, and otheris of our Privie Counsell of our said kingdome.

1629.
November 26.

TO THE ERLE OF MONTEATH.

[CHARLES R.]

Right, &c. Whereas Wee have been delt with for divers persons of that our kingdome, that they might be advanced to titles of honor, some by a new creatione, and others by being raised to a more heigh dignitie then they presently enjoy, Sieing these prefermentis are the cheef markis of a princes favor, whareby the

present age and the posteritie tak notice of his judgement, and of the subjectis, as they find them to be conferred, Wee will noe way proceed in that kind but vpon due consideratione: And therefore it is our plesor, that you, as one whome wee speciallie trust, informe yourself, and adverteis us, of the qualitie and service done, or to be done, vnto us, by any whoe desire that favor, and that you have a care to acquent ws whoe of them have any heretable office, shirreffship, baillierie, stewardrie, or regaltie, That they first agrie for the same, for wee will not advance them with whome we are to plead for recovering our right to establishe that which wee intend for the good of that our kingdome: But where non of them have any such thing to demitt, That there may be some publick service done for thare preferment, It is our forder plesour, that you agree with them for some ressonable number of persons to be furneshit out, vpon thare charges, towards the plantations of New Scotland, at the sight of our trustie, &c. Sir William Alexander, oure Leivotennent of that bounds, whereby he may be supplied in that great wark, and that our Aduocat, heaving considered those thingis recommendit vnto [you], draw up, and docett the Patents of such as you agrie with, and send them vnto us, that Wee thereafter may proceed as we think fitt. See recommending this vnto your care, Wee, &c. Whitehall, the 26 November 1629.

A PRECEPT IN FAVOUR OF SIR W. ALEXANDER.

1629.
December 10.

[CHARLES R.]

Whereas formerlie wee directed a precept vnto Sir James Baillie Knight, that heaving the same charge in our service wherewith you are now entrusted, to pay vnto Sir William Alexander Knight, oure principal secretarie for Scotland, the soume of Sex Thousand pounds sterling, out of our parte of the Prise moneyis, which the saids Sir James was then ordained to resave, and are now appointed to come vnto the Excheq^r: Therefore oure plesor is, and wee doe heirby will and require you, vpon the sight heiroff, to pay vnto the said Sir William Alexander, or his assignais, That which you shall find remaining vn timer of the said precept, and that out of the first and reddiest of our rentis and casualties, or out of any other moneyis belonging vnto ws, presently remaining in your custodie, or that shall nixt come into your hands: And for your soe doing, thes presents shalbe vnto you a sufficient warrand: And [Wee] doe hereby command our treasurer, deputie treasurer, commissioners of our excheq^r, and all others auditors whoe are or shalbe herefter, to allow and defeas vnto you the remanendare of the said Sir William his precept, vpon accompt. Whitehall, the 10 of December 1629.

To our trustie and weelbeloved Mr David Fullertone,
one of the Receavers of our rentis in Scotland.

1629.
December 24. ACT ANENT THE COGNOISSANCE OF THE KNIGHT BARONNETS.

Apud Halyrudhous 24 die mensis Decembris 1629.

The whilk day the missive vnderwrittin signed be the Kingis Ma^{tie} being presented to the Lords of Secreit Counsell and read in thair audience The saids Lords according to the directioun of the said missive Ordanes the same to be insert and registrat in the Bookes of Priue Counsell and Exchequer And siclyke thay ordaned the same to be registrat in the Bookes of the Lyoun King at Armes and Heraulds thairin to remaine *ad futuram rei memoriam* And that all parteis having interesse may have authentick copeis and extracts thairof. Of the whilk missive the tennour followes.

CHARLES R.

Right trustie and right, &c. [See *supra*, p. 49.]
Whitehall, the 17 of November 1629.

[In the Acts of Privy Council a copy of the Proclamation is subjoined, which, as usual, is a mere repetition of the King's letter.]

1629.
December.

TO THE GOVERNOUR OF THE TOUN OF PLIMMOUTH.

[CHARLES R.]

Whereas Wee have directed Samuell Jude, post of our toune of Plimmouth, to repair thither for conducting, and bringing hither to our Court, one of the commanders of Cannada, attended by some others of that countree, whoe is directed to us, in name of the rest, Wee doe heirby will and require you to give vnto him all the lafull fortherance shalbe found requisit for thare conducting and transportation hither, with all such provisiones as they have to bring along with them, And that you signifie this our pleasour to any others whom it may concern.

To our trustie and weelbeloved Sir James Bagg knight,
Governour of our toune of Plymmouth, and to all
other our officers, to whome thes presents doothe or
may concern.

1630.
February 4.

TO SIR WILLIAM ALEXANDER.

[CHARLES R.]

Right, &c. Whereas Wee have, by our infetment vnder the Great Seall of our kingdome of Scotland, granted vnto you, and your heirs, authoritie to be our

Leivetenment of New Scotland, and Cannada, with pouare to confer titles of honour thare vpon such inhabitantis as shalbe aiding and assisting vnto the plantatione thareof; and whareas also, for the better encouragement of our subjectis of our said kingdome, to plant and contribute towards the plantatione of the said country, Wee have erected the Order and dignitie of Knight Baronet in our said kingdome of Scotland, and by our lettres have appointed and licensed the Knight Baronetts of our said kingdome to carie and weare a cognissance, and orange tauney ribbane about thare neckis, Therefore, wee doe alsoe heirby authorise and require you, and your heirs and successors, to authorise, licence, and appoint the Baronettis of New Scotland and Cannada, appointed or heirefter to be appointed, by you, or them, in the said territorie and dominione of New Scotland and Cannada, to wear and carie the like cognissance, and ribbane for thare better distinctione from the others freeholders, and inhabitantis thareof, and that you caus registrat this our warrand in the books of Councell, Sessione, and Excheq^r of our said kingdome, and in the Registers of our said territorie and dominione of New Scotland: And for your soe doing theis our lettres, given vnder our Privie Signett, shalbe vnto you, and your heirs and successors, a sufficient warrand in that behalf. Whitehall, the fourt day of Februar 1630.

MEMOIR OF THE FRENCH AMBASSADOR.¹

1630.
February 1.

L'Ambassadeur de France Supplie Sa Majesté de la Grande Bretagne qu'il lui plaise ordonner et conformer à ce que a esté promis et accordé par les articles du xxiii^e Auril der^{re} au Cap^{ne} Querch et au Sieur Guillaume Alexandre et relevans de ses subiects, qui sont ou séjourneront en la Nouvelle France, de s'en retirer et remettre entre les mains de ceux quil plaira au Roy Son Maistre d'y enuoier, et seront porteurs de sa commission, tous les lieux et places quilz y ont occupez et habitez depuis ces derniers mouuemens, et par encore la forteresse et habitacion de *Quebec, Costes du Cap Breton, et Port Roial* prins et occupez, scauoir la forteresse de Quebec par le Cap^{ne} Querch, et les costes du Cap Breton et Port Roial par leis Sieur Guillaume Alexandre Ecossois depuis le xxiii^e Auril der^{re}. Et d'eux remettre en mesme estat quilz les ont trouuez sans desmolir les fortes Creaons. ny bastimens des habitacions, ny emporter aucunes armes, munitions, marchandises ny vstencilles de celles qui y estoient lors de la prinse, quilz seront tenuz de rendre et restituer avec toutes les pelletteries quilz ont apportées depuis, ensemble la patache commandée par le Cap^{ne} de Caen qui a esté amenée en Angleterre, comme aussi la nauires nommée la Marie de St Jean de Luz du port de soix^{te} dix tonneaux

¹ Colonial Papers, p. 107.—The transcript of this letter being in some parts unintelligible, it was found necessary to correct the reading of a few words by conjecture.

qui a esté prins par leis Sieur Alexandre au des balines coste du Cap Breton, et partie des hommes ramenez ici [par] le Cap^{ne} Pomerey.

(*In dorso.*) MEMOIRE.—Whereby the French Amb^r desires his Ma^{ty} to give order for the restitution of all the places taken in Canada by the English and Scotts during these late troubles, Item of all the goods and ships brought from thence hither. All in manner as taken, &c.

1630.
February.

A CHARLES ST ESTIENNE BARRON.

Trés chère et bien aymé, vos lettres

[A blank space is left at fol. 480 in Sir William Alexander's Register for the continuation of this letter.] In the margin, "Letters Francois."

1630.
February 20.

THE LORD OCHILTREE'S INFORMATION.¹

[The author of the following information was Sir James Stewart of Killeith, eldest son of Captain James Stewart, Earl of Arran. He acquired the Lordship of Ochiltree in 1615, but according to Scotstarvet he only "enjoyed the estate a few years, and was forced to sell all for defraying his debts." This may possibly have induced him to establish a colony at Cape Breton. In May 1629 Charles the First authorised the sum of Five hundred Pounds sterling "to be borrowed for the use of Lord Ochiltree, being for his present expedition to Cape Britton for a planting of a colony there." The King on the 10th of December following signed a precept for the repayment of the said sum. But on the 10th September 1629, Lord Ochiltree and many of the settlers were treacherously taken prisoners by Captain Daniel of Dieppe; some were carried to England, while Lord Ochiltree and seventeen others were taken to France, suffering great hardship from the barbarous and perfidious carriage of the French. He estimated his losses at £20,000. The English Ambassador, Sir Thomas Edwards, on the 22d January 1629-30, having made a formal complaint of such usage, his Lordship was set at liberty, as no just cause could be found for his detention.—(Colonial Papers, pp 104-106.) On the 24th of April that year, Lord Ochiltree had a patent as a Knight-Baronet. In April 1631, he had renewed his intentions to plant a Colony near the river of Canada.² But before his patent had passed the Great Seal, in consequence of his being under a criminal process,³ King, about the close of 1631, ordered this grant not to be recorded. His loss was occasioned

¹ Colonial Papers, p. 106.

² *Id.* *ib.*

³ See *infra*, p. 70.

by Lord Ochiltree having accused James Marquess of Hamilton of high treason, but when the charge was tried, Crawford (Peerage, p. 375) says, "the story appear'd to be a piece of the most notorious folly and forgery that ever was invented; for which he was condemned to perpetual imprisonment in Blackness Castle." Here he was kept till the year 1652 when, being released by the English, he "took himself to be a Doctor of Medicine, by which means he sustains himself and his family."—(Scot of Scotstarvet.) He died in 1659.]

INFORMATION, &c,

1630.
February.

The Kinge off France by his commissione doeth assure to himself all that part of America w^{ch} lyeth, elouationne from the fortie too the sixty degree, whereby he doeth includ the River of Canada, all Acady, w^{ch} includs all New England and New Scotland. Theas lying in lenth by the sea coast some six hundrithe myllis.

By this he assumis to himself the sole priuiledge and benefitt off fisching, at this tyme the cheef commerce off France whereby in few yeeris he wilbe able to nourish ane seminary and nurcery off saillers and seamen above ony king in the world. And in this land he hathe bothe the commerce as also the occasioun and means off building or causing boold what schips he pleasis, and all thair furnitur, and the brauest harborys in the world, so that he may frame his schips off what burding he pleases. He intends, as Captain Danyell hes publickly confessit and professed, the supplantatioune of theas Colonyes off the Inglis in New England, and the making pryss off all the English schipps going thither; and to this effectt he goeth in ane schipp off the King of Frances this zeir, accompanied with too [two] other smaller schips, and too hundrethe men in euery off them.

That the Kyng of Britane hath as guid right to theas lands as to England I hoop the estate off England knowes it, and I know it can be instructed; and I know it is better then England and Scotland bothe in respect off the climat, the goodnes off y^e soylls, and riche contrie, iff it were peopled, w^{ch} is easy to the King of Britane to doo hauing alreddy in theas parts above seuen thousand of his Ma^{ties} subjects.

Captan Danyell is the whol projector of this to the State of France: he is to secound the Jesuits in this cours, he the agent and they the plotters; he is to part from Deep betwix an the twenty off February with theas his thrie schips. Iff he resauce nocht interruptione in his cours this zeir, it will with moir difficulty and damage both heirefter; for he hathe professed, w^{ch} shalbe verified befor Captan Fener and the Lo. Welchtrie, that the King of France did mynd nothing by the peace with Ingland bot to endur for too zeiris till he secured America and peceably possessed himself therein.

(*In dorso.*) The Lo: Ewcheltreis Information.

1630.
April 15.

SECRETARY VISCOUNT DORCHESTER TO SIR ISAAC WAKE,
AMBASSADOR IN FRANCE.¹

In one only point Monsieur de Chasteauneuf seemed to goe away ill satisfied, that he could not obtayne a direct promise from his Ma^y for y^e restoring of Port Royall, joyning to Canada where some Scottishmen are planted vnder the title of Nova Scotia. This Plantation was authorised by King James of happy memorie vnder Letters Patents of y^e Kingdome of Scotland, and severall Priviledges granted vnto some principal Persons of ranke and quality of this Kingdome wth condition to vndertake the same: True it is, it was not begun till towards the end of y^e warre wth France, when some of his Maty^s subjects of that Kingdome went to Port Royall, and there seated themselves in a place where no French did inhabite Mons^r de Chasteauneuf pretending (rather out of his owne discourse, as wee here conceiue, then by commission) that all should be quitt in state as it was before the warre, and by consequence those men wthdrawne, hath pressed his Mat^y earnestly for that purpose, and His Mat^y wthout refusing or granting hath taken time to aduise of it letting him know thus much that vnles he found reason as well before, as since the warre, to have that place free for his subjects plantation he would recall them, but in case he shall find the Plantation free for them in time of Peace, the French will have no cause to pretend possession thereof, in regard of the warre, meanwhile Kebec (which is a strong fortified place in the River of Canada, w^{ch} the English tooke) his Ma^y is content should be restored because the French were removed out of it by strong hand and whatsoever was taken from them in that Fort shall be restored likewise, whereby may appear the reality of His Mat^ys proceedings; and this I advertise your Lp. for your information, not that it should be needfull for you to treat or negotiate in it, but to y^e end, that, if it should be spoken of vpon Mon^r de Chasteauneuf returne, you should not be ignorant how the businesse passed.

DORCHESTER.

Whitehall, 15 Aprill 1630.

(*In dorso.*) Lord of Dorchester to S^r I^s Wake, 15 Aprill
1630 Plantation of Canada, Nova Scotia, Port Royall
and Kebec.

TO SIR WILLIAM ALEXANDER, YOUNGER.

1630.
May 31.

[CHARLES R.]
Trustie, &c. Heaving wnderstood by your letter, and more ample by report of others, of the good success of your voyage, and of the carefull and provident pro-

¹ Colonial Papers, p. 113.

ceeding for planting of a colonie at Port Royall, which may be a means to settle all that cuntrie in obedience, We give you hartlie thanks for the same, and doe wish you (as wee are confident you will,) to continew, as you have begune, that the wark may be brought to the intendit perfectione; which wee will esteem as one of the most singulare services done vnto ws, and of you accordinglie, and of everie one of your company, that have been good instruments in the same, as wee shall have a testimonie of them from you. See recommending vnto you that you have a special care before you return, to tak a good coarse for government of the Colonie during your absence Wee bid you farewell. Whitehall, the 13 day of May 1630.

TO EARLES, LORDS, GENTLEMEN, KNYGHTS: GENERAL CONVENTION.

1630.
July 3.

[CHARLES R.]

Right, &c. Being informed of your affection and habilitie to doe ws service and desyreing to have a prooff of the same at this tyme wherin sindrie things are to be proponed from ws for the good of that kingdome as will appear by the Articles which we have sent for that effect And that yow may be the better informed we have desyred our trustie and weilbeloved Counsellour Sir William Alexander principall Secretarie for our kingdome of Scotland to acquaint yow more particularlie therewith whom yow shall trust in any thing that he doeth delyver vnto yow in our name concerning our service at this tyme and as we find your endeavours to prove we will acknowledge the same accordinglie. Whythall, 3 July 1630.

Ane Letter to ane Erle and two Lordes and two gentlemen of the tenour and date of the precedent, and ane to Lochinvar, of the tenour and date of the precedent, with this clause more, "As lykwayes in the Treatie with yow concerning your Bailliarie and Regalitie."

TO THE COUNSELL: SIR W. ALEXANDER IN NEW SCOTLAND.

1630.
July 3.

[CHARLES R.]

Right trustie and right weilbelouit Cousin and Counsellour, right trustie and right weilbelouit cousins and counsellours, right trustie and weilbelouit counsellours, and trustie and weilbelouit counsellours, We greite yow weil: There being at this tyme some contraversie betwixt Ws and the French, concerneing the title of landes in America, and particularlie New Scotland, it being alledged that Port Royall, wher the Scottish Colonie is planted, should be restored as takin since the making of the peace, by reasone of the Articles made concerneing

the same: As we ar bund in dewtie and justice to discharge what we owe to everie nyghbour Prince, so we must have a care that none of our subjects doe suffer in that which they have vndertakin, vpon just grounds, to doe ws service, nather would we determine in a matter of so great moment till we vnderstude the trow esteat thairof Thairfoir our pleasur is, that yow tak this bussines into your consideratioun; And becaus we desyre to be certifeid how farre we and our subjects ar interested thairin, and what arguments ar fitt to be vsed when any questioun shall ocure concerneing the same for the defence thairof, that efter dew information we may be furnished with reasons how we are bound to manteane the Patents that our late dear Father and We have gevin. So expecting that having informed your selfis sufficientlie of this bussines, yow will retorne ws ane answer with diligence. We bid you fareweill. Frome our Court a Whitehall, the third July 1630.

1630.
July 14.

THE GENERAL CONVENTION.¹

CHARLES R.

Right trustie, &c. Being informed of your affection and abilitie to doe ws service and desyreing to have a prooff of the same at this tyme wherin sindrie things are to be propounded from ws for the good of that kingdome as will appear by the Articles which we have sent for that effect And that yow may be better informed we have requyred our trustie &c Sir William Alexander our principall secretarie of that our kingdome to acquaint yow more particularlie therwith whome yow shall trust in any thing he doeth delyver vnto yow in our name concerneing our service at this tyme And as We find your endeavours to prove we will acknowledge the same accordingle. At Nonsuche, 14 July 1630.

Ther ar two letters more verbatim ut supra Ther ar four letters more verbatim, Trustie and Weilbelov'd

Thrie Ratifications signed the same tyme, one of the Act of Interruption One thereof the determinations and Act of annuitie And the thrid in favours of the Barronets of the title of Barronett.

1630.
July 14.

EIGNITIE OF KNIGHT BARRONETTS.

CHARLES R.

Right trustie and right weilbelouit cousine and counseller right trustie and weilbelouit cousins and Counsellours right trustie and weilbelouit counsellours right

¹ The proceedings of the Convention of Estates in July 1630 are printed in Acts, vol. v. p. 208, *et seq.*

trustie and trustie and weilbelouit We greit you weill Having given furth ane decree vpon these things q^{lks} wer submitted vnto us in suche sort as after dew information (having heard all parteis) we conceaved to be best for the publick good and having given order for making interruption that we might no way be prejudged by the act of præscription, whiche we can never thinke wes at first intended for anie prejudice of the Crowne, we made choise rather to obviat anie inconvenient that may come thairby by publick acts in counsell then to trouble a number of our lieges by particular citatiouns Thairfor we have thought fitt to recommend the same vnto yow that they may be confirmed by yow our Estaits conveened by ws at this time And lykewayes where our lait deere Father and we have erected the dignitie of Baronnets for advancing the Plantatioun of New Scotland, granting lands thairwith for that effect Wee recommend lykewayes the same in so farre as sall be lawfullie demanded to be confirmed by yow And so not doubting bot that yow will be carefull both of these and all other things that may import the honnour of that Kingdome or the good of our service We bid you fareweill. Frome our court at Nonsuche, the 14 of July 1630.

HIS MAJESTIE'S MISSIVE ANENT PORT ROYALL IN NEW
SCOTLAND.

1630.
July 20.

Apud Halyrudhous vicesimo die mensis Julij 1630.

The whilk day Sir William Alexander principall Secretar to our Soverane Lord gave in the missive letter underwritten signed be the King's Majestie and directed to the saids Lords, of the whilk the tennour followes.

CHARLES R.

Right trustie and right weilbelouit Cousine and Counsellour, &c.

[See *supra*, p. 57.]

At Whitehall, the third day of July 1630.

Quhilk letter being read and considderit be the said Lords, They ordaine the said Sir William Alexander whom this business concernes to attend the Lords Chancellor, Thesaurair, Præsident, Lord Gordoun and Advocat, and to propone unto thame the reasons and arguments for defence of his Majestie's right; Togidder with the objectiouns moved be the Frenche for recoverie of the same; To the intent the Counsell upon report thairof, being trewlie informed of the estait and nature of the bussines may certifie backe to his Majestie thair opinion thereanent.

1630.
July 31.

RATIFICATION OF THE ORDER OF KNIGHT BAROUNETS.¹

Apud Halyrudhous Vltimo die mensis Julii 1630.

The Estates presentlie convened all in one voice ratifies allowes approves and confirms the dignitie and order of Knight Barounets erected be his Ma^{tie} and his lait deere Father of blessed memorie and conferred by thame vpon sindrie Gentlemen of good qualitie for thair better encouragement and retributioun of thair vndertakings in the Plantatioun of New Scotland with all the acts of Secreit Counsell and proclamatiouns following thairvpon, made for maintening of the said dignitie place and precedence thair of, and ordains the same dignitie place and precedence dew thairto to continew and stand in force in all tyme comming, and that intimatioun be made heirof to all his Ma^{ties} leiges be opin proclamatioun at the mercat croce of Edinburgh and other places neidfull.

Followes his Ma^{ties} missive for warrand of the Act abouewritten.

[See *supra*, pp. 58, 59.]

1630.
July 31.

ANENT NEW SCOTLAND.²

The Estaits presentlie convened having dewlie considerit the benefite arysing to this Kingdome by the accessioun of New Scotland and of the successfull plantatioun alreadie made there by the gentlemen vndertakers of the same In regarde whair of and that the saids lands and territoireis of New Scotland ar by the patent thair of made in favours of S^r Williame Alexander of Menstrie Knight his Ma^{ties} Secretarie annexed to the Crowne Thairfoir the saids Estaits all in one voice hes concluded and agreed that his Ma^{tie} sall be petitioned to mainteane his right of New Scotland And to protect his subjects vndertakers of the said plantatioun in the peaceable possessioun of the same As being a purpose highlie concerning his Ma^{ties} honnour and the good and credite of this his ancient Kingdome.

1630.
September 9.

TO HIS MAJESTIE, ANENT NEW SCOTLAND.

MOST SACRED SOUERANZ.

We have vnderstood by your Ma^{ties} letter of the title pretendit by the Frenshe to the Lands of New Scotland, Whiche being communicat the Estaits at thair lait meiting, and they considering the benefite arysing to this kingdome by the accessioun of these lands to the Crowne and that your Ma^{tie} is boundin in honnour carefullie to provyde That nane of your Ma^{ties} subjects doe suffer in that whiche for

¹ Acta, vol. v. p. 223.

² Ib. p. 224.

your Ma^{ties} service and to thair greit charge they haue warrantable vndertakin and successfullie followed out We haue thairupoun presoumed by order from the Estaits to make remonstrance thair of to your Ma^{tie} and on thair behalfe to be humble supplicants to your Ma^{tie} that your Ma^{tie} would be graciouslie pleased seriously to take to heart the maintenance of your Royall right to those lands and to protect the Vndertakers in the peaceable possession of the same, as being a busines whiche tuiches your Ma^{ties} honour, the credite of this your native kingdome, and the good of your subjects interested thairin. Remitting the particular reason fitt to be vsed for defence of your Ma^{ties} right to the relation of Sir William Alexander your Ma^{ties} Secretare who is intrusted thairwith, We humble pray the Almighty God to blesse yo^r Ma^{ties} with a long and happie raigne, and wee rest

Your Majesties most humble and obedient Subjects and Seruitours.

MORTOUN.

HAMILTON.

WINTOUN.

S^r THOMAS HOPE.

LAUDERDAILL.

SCOTTISTARVET.

Halyrudhous, 9 Septembris 1630.

(*In dorso.*) To the Kings Most sacred and Excellent Maiestie.

REASONS ALLEAGED BY THE SCOTTISH ADVENTURERS
FOR THE HOLDING OF PORT ROYAL, &c.¹

1630.
September 9.

Immediately about the time that Columbus discovered the Isle of Cuba, Sebastian Chabot set out from England by Henrie the Seventh did first discover the continent of America, beginning at the Newfoundland, and thereafter going to the Gulph of Canada and from thence having seen Cape Bretton all along the coast to Florida: By which discovery his Ma^{tie} hath the title to Virginia, New England and New Scotland, as being then first discovered by Chabot at the charge of the king of England.

The French after this neglecting the knowledge they had thereafter by Jaques Cartier of the river of Canada as a cold climat, or as it may bee in regard it was challenged as first discovered by the English, hauing a great desire to possesse themselves in some part of America, they planted first a colony vnder the charge of Mons^r Villegagnon in Brasill, and another vnder the charge of Mons^r Laudoniere in Florida, from both of which they were expelled by the Spaniards.

Then giving ouer all hope of attempting any thing that was belonging to the Spaniards, and pressing by all meanes to haue some interest in America, notwithstanding that the English (though they were not able to possesse the whole at

¹ Colonial Papers, p. 119. Annexed is a copy of the preceding letter from the Council of Scotland, September 9, 1630.

first) had possessed themselves of that continent, discovered by them, by a Colonie in the South part thereof was now called Virginia and by another in the north part thereof now called New England and New Scotland, planted by Justice Popham. The French in the time of Henry the fourth, under the charge of Monsieur Pont-rincourt, having seene all the coasts of New England and New Scotland to both which parts they did then beginne to claim right: They seated themselves in Port Royal; Out of which, as soon as it was made known to the English, they were dis-planted by S^r Samuel Argall, as having wrongfully intruded themselves Within those bounds which did belong to this Crowne, both by discovery and possession.

The remainder of this French Collony not having occasion to be transported to France stayed still in the contrie Yet they were neglected by the State not owning them any more and hardly supplied in that which was necessary for them by voluntary adventurers, who came to trade in hope of their comodities in Exchange of what they bought: And during the time of King James there was no complaint made vpon S^r Samuel Argall for hauing displanted them, and they were now lately glad to demand that protection from his Ma^{tie} which was not afforded them from any other. Whereby it may evidently appeare, that his Ma^{ties} title was thought good, otherwise it is likely the French King, if any wrong had been done vnto him, would haue sought to haue had the same repaired, either by treatie or otherwise. But without making either any priuat complaint, or yet doing any publick Act against the same They went next and seated themselves vpon the north side of the River of Canada at Kibeck, a place wherevnto the English by a preceding title might likewise haue claimed right: But small notice was taken thereof till during the time of the late Warre a Commission was given by his Ma^{tie} to remove them from thence, which was accordingly performed, the place being taken, a little after the peace was concluded, which at that time had not come to the takers knowledge, and a Colonie of Scottish was planted at Port Royal, which had never benee repossessed nor claimed by the French since they were first removed from the same.

This businesse of Port Royal cannot be made lyable to the Articles of the peace, seeing there was no act of hostilitie comitted thereby, a Colonne onely being planted vpon his Ma^{ties} owne ground, according to a Patent granted by his Ma^{ties} late deare father and Ma^{ties} selfe hauing as good right thereto as to any part of that Continent; and bothe the patent and the possession taken thereupon was in the time of his Ma^{ties} late deare Father, as is set downe at length in the Voyages written by Purchas. But neither by that possession nor be the subsequent plantation hath anything bene taken from the French whereof they had any right at all, or yet any possession for the time, and what might haue benee done either before the warre or since the warre, without a breach of peace cannot justly bee complained vpon for being done at that time.

After that the Scottish Colonie was planted at Port Royal, they and the French who dwelled there hauing met with the Commanders of the Natives, called by them Sagamaes did make choice of one of the cheefe of them called Sagamo Segipt to come in name of the rest to his Ma^{tie} for acknowledging of his title, and to become his Ma^{ties} subjects, crauing only to be protected by his Ma^{tie} against their enemies; which demand of his was accepted by his Ma^{tie}, who did promise to protect them, as he reported to the rest at his returne.

Mon^r La Tour who was cheif command^r of the few French then in that Countrie beeing neglected (as is sayd) by his own Countriemen, and finding his Ma^{ties} title not so much as questioned after their beeing expelled from Port Royal and the coming in of the Scottish necessary for his securitie, did along with the same Sagamo offring and demanding the like in the name of the French who liue there: So that his Ma^{tie} hath a good right to New Scotland by discouery, by possession of his Ma^{ties} subjects, by removinge of the French, who had seated themselves at Port Royal, and by Mon^r La Tour command^r of them there his turning Tenant and by the voluntarie hauing tenents of the rest to his Ma^{tie} and that no obstacle might remaine the very Sauages by their Commissioner willingly offring their obedience vnto his Ma^{tie} So that his Ma^{tie} now is bound in honor to maintaine them, both in regard of his subjects that haue planted there upon his warrant and of the promises that he made to the Commissioner of the Natiues that came to him from them, as he promised to the Comissioners of the Natiues, And as all the subjects of his Ma^{ties} ancient kingdome of Scotland did humbly entreat at their last Conuention, as may appeare by a letter to his Ma^{tie} from his Counsel to that effect.

9 September 1630.

PETITION OF SIR WILLIAM ALEXANDER, CAPTAIN DAVID
KIRKE, &c.¹

1631.
February 26.

Petition of Sir Wil. Alexander, Capt. David Kirke, and Others, Adventurers in the Company of Canada, to the Admiralty. The King granted them commission some three years ago to plant colonies in the river of Canada, to displant those who were enemies in those lands, and to trade with the natives. Are informed that diuers ships are bound thither, particularly the Whale of London, masters Richard Brewerton and Wolston Goslyn, contrary to that commission and greatly to the petitioners' prejudice. Pray that such vessels may be stayed or sufficient assurance given that they will prosecute no such voyage. Underwritten is a reference to Sec. Dorchester to examine the parties, and if they have intention to go into those parts, to order that they be stayed as is desired.

¹ Colonial Papers, p. 128.

1631.
[February 29.]
Whitehall.

PROPOSED WARRANT TO STAY CERTAIN SHIPS.¹

Warrant for the stay of certain ships bound to Canada contrary to a commission granted to Sir Will. Alexander, Jarvis Kirke, and others who have been at great charges in settling and maintaining a colony and fort within those bounds.

(*Endorsed by Sec. Dorchester*). "Conceit of a letter for hinderance of men going to Canada, desired by Sir Wm. Alexander."

1631.
April 19.

JUSTICES OF IRELAND.

[CHARLES R.]

Right, &c. Whereas our right trustie and weilbeloved the Lord Ochiltreie Our trustie and weilbeloved Counsellours Sir Peirce Corsbie and Sir Archibald Achiesone kny^{ts} and baronets and our trustie and weilbeloved Sir Walter Corsbie kny^t and baronet intent to plant a Colonie nearer vnto the river of Canada in America Becaus the purpos is honorabill and may conduce to the good of our service our speciall pleasur is that from tyme to tyme as they or any of them shall have occasion yow grant them Commissions and warrants requisit for transporting thither such persones as shalbe willing to be employed in that plantation And that yow licence and caus licence them and such as shall have ther or any of ther warrants to transport provisions of victuall ordinance munition and all other necessities whatsoever fitt for ther vse ffor doing wherof as these presents shalbe vnto yow a sufficient warrant so we will accompt your care in furthering of them as good and acceptable service done vnto ws. We bid you farewell. Whythall, 19 Aprill 1631.

1631.
April 29.

TO THE COUNSELL.

[CHARLES R.]

Right, &c. Whereas yow hath recommended to our princelie care the advancement and manteneing of the work of Plantation of New Scotland being lykwyse petitioned by our whole Estats convened for taking some course whic^h might best tend for effectuating that interpryse And doing of our selfes daylie more and more sensible how much the prosecution of it concerneth ws in honor and the state of that our antient kingdome many wayes in benefite, considering lykwyse the course which we had layd down for it in conferring a title of honor vpon some deserving persones who should engadge themselves for the advancement therof hath made but slow progress and that diuerse noblemen and others generouslie

¹ Colonial Papers, p. 128.

affect have contracted with our trustie and weilbelouit Sir W^m Alexander our Secretarie who is speciallie intrusted by us to prosecute that work for the more speedie effectuating of our designe in it, the doeing whereof is very acceptable vnto us Our pleasur is that yow mak choyse of a certane number amonges your selffis of such as haue alreadie testifeid ther earnest affection to the work by contracting in that kynd with our said servand, that they may tak seriouslie vnto ther consideratiouns by what meanes our designes in this may be best accomplished; that being acquainted therwith we may by your advyse tak such further course as shalbe requisit; ffor there shalbe nothing wanting in us that may second so just desyres and honorabill designes: which earnestlie recommending vnto your care We bid yow farewell. Whythall, 29 Aprill 1631.

SIGNATURE OF COMMISSION FOR THE BARRONETTS.

1631.
May 5.

These conteyne ane Ratificatioun of the two former Commissions of Barronetts and all Patents and Infestments granted conforme thairto, preceeding the date heirof, with ane new commission gevin power to certane Commissioners above nominat or any fyve of them to receave resignation of lands lyand within the countrie of New Scotland, vpoun the resignation of your Ma^{ties} Secretarie Sir William Alexander Lieutennent of Nova Scotia; and to grant infestments thairvpon of the saids lands to the persones in whois favours the samyne is made, togidder with the title and dignitie of Barronett: And also conteynes ane Ratificatioun of the Seall and Armes of New Scotland, with power to the saids Commissioners, with advyse of the said Sir William Alexander, to change the samyne: and last, conteynes ane Ratificatioun of ane warrant gevin by your Ma^{ties} to the saids Barronetts for bearing and wearing of ane badge, and cognoscence, with a new warrant for bearing and wearing of the samyne in maner above specifit, discherging the vse of the saids former commissions efter the date heirof; and this to indure without revocation ay and whill the full number of ANE HUNDRETH AND FYFTIE BARRONETTS be made and compleit. Greenwich, 5 May 1631.

WILLIAM CLAYBORNE: LICENCE TO TRAFFIC.

1631.
May 16.

CHARLES be the Grace of God King of England Scotland France and Ireland Defender of the fayth, &c. Whereas our trustie and weilbeloved William Clayborne, one of our Counsell and Secretarie of state for our Colonie of Virginia, and some other Adventurers with him, haue condescendit with our trustie and weilbeloved counsellour Sir William Alexander kny^t principall Secretarie of our kingdome of Scotland and others of our loveing subjects who haue charge of our Colonies of New

Scotland and New England to keep a course for interchange of trade amongst them as they shall have occasion as also to mak discovereis for increase of trade in these parts; and because we doe verie much approve of all such worthie intentions and ar desyreous to give good encouragment to their proceedingis therin, being for the releiff and comfort of these our subjects and enlargment of our dominions, These ar to licence and authorize the said William Clayborne his associats and companie frielie without interruption from tyme to tyme to trade and traffique for corne furis or any vther commoditeis whatsoever with ther schips men boatts and merchandice, in all seas coasts rivers creeks herbereis landis territoireis in neir or about these parts of America for which ther is not alreadie a patent grantit to others for the whole trade And for that effect we requyre and commaund yow, and everie of yow, particularlie our trustie and weilbelovit Sir John Hervie knyght governour and the rest of our Counsall of and for our Colonie of Virginia, to permitt and suffer him and them with ther saids schips boats merchandice and cattell mariners servandis and such as shall willinglie accompanie or be employed by them from tyme to tyme frielie to repair and trade to and agree in all the aforesaid parts and places as they shall think fitt and ther occassins shall requyre, without any stop arreist search hinderance or molestation whatsoever as yow and everie of yow will answer the contrarie at your perrells, giueing and by these presents granting to the said William Clayborne full power to direct and governe correct and punish such of our subjects as shalbe vnder his command, in his waye and discovereis And for your soo doing, these presents shalbe your sufficient warrant. Gevin at our mannor at Greenwich the 16 of May 1631 the sevint year of our regne.

To our trustie and weilbeloved our Governour and Counsall of Virginia, To all our Livtennents of provinces and cuntreyis in America, gouvernours and vthers haueing any charge of Coloneis of any of our subjects ther, and to all Captanes and Masters of schipps, and generallie to all our subjects whatsoever whom these presents doe or may concerne.

1631.
June 30.

N. BRIOT: FARTHING COINING.

[CHARLES R.]

Wheras we have gevin ordour for coyneing a certane quantitie of copper into farthing tokens in our kingdome of Scotland and for performance of which work yow ar made choyse of These ar therfor to requyre and authorize yow to forge mak and grave or cause to be made and graved in our citie of London or elswher

within this our kingdome of England, all kynds of instruments pressos engynes yrones stampes coynes with all others provisions necessarie for the fabrication of the saidis farthings, to be delyvered by such as yow shall be directed by our trustie and weilbeloved Counsellour Sir W^m Alexander kny^t, that they may be transported vnto our Mynt of our toun of Edinburgh Within our said kingdome of Scotland For doeing whairof as also for your owin repairing thither for setting vp and establishing the said work, these presents shalbe vnto yow a sufficient warrand. From our Court of Greenwich, the last of Junij 1631.

To our trustie and weilbelovit Nicolas Briot Cheiff graver
of our Mynt within our kingdome of England.

THESAURER AND DEPUTIE.

[CHARLES R.]

1631.
July 4.

Right, &c. Whereas ther hath bene a proposition made vnto ws for coyneing a quantitie of farthingis tokins within that our kingdome such as ar current heir and considering in regard of the scarcitie of money for the present ther, that some such kynd of coyne wer the more necessarie at this tyme for the vse of the meaner sort, and for the smaller sowmes; yet becaus we desyre to proceid heirin as circumspectlie as can be both for the good of our owin subjects and that such correspondencie may be keipit heirin with our other kingdomes as in such caise is requisit Our pleasur is that haveing conferred with them who have the charge of our Mynt as lykwyse with the propounders of this course that yow mak the fayrest and best bargane yow can for our advantage and that yow sequester the moneyis arysing therby to be bestowed as yow shall have a particular warrant from ws for that effect. Greenwich, fourth July 1631.

PRECEPT TO THE THESAURER AND DEPUTIE.

1631.
July 10.

[CHARLES R.]

In regard of the good and faythfull service done vnto ws by Sir William Alexander our Secretarie, it is Our pleasur that yow delyver vnto him for his vse all and whole the moneyis that doe or shall belong vnto ws (as feyis justlie due being defrayed) for our share by the coyneing of the farthing tokens or of any such copper coyne as yow shall think fitt to be coyned by vertew of our warrant sent vnto yow for that effect and that ye send vnto ws any further warrant that yow think necessarie heirin: ffor doeing wherof in delyverie the same to him by vertew of this warrant or for drawing vp of another these ar to secure yow as a sufficient discharge and warrant. Greenwich, 10 July 1631.

1631.
July 10.

WARRANT TO SIR WILLIAM ALEXANDER.

[CHARLES R.]

Right, &c. Whereas ther is a finall agreement made betwixt ws and our good brother the French King, and that, amongst other particulariteis for perfecting heirof we haue condescendend that Port Royall shall be putt in the estate it was befor the beginning of the late warre, that no fairtie may have any advantage ther durence the continuance of the same and without derogation to any preceeding right or title be vertew of any thing done other then or to be done by the doeing of that which we command at this tyme It is our will and pleasur and we command yow heirby that with all possible diligence yow give ordour to Sir George Home knyght or any vther haueing charge from yow ther, to demolish the Fort which was builded by your Sone ther, and to remove all the people goods ordinance munition cattell and vther things belonging vnto that Colonie, leaveing the boundis altogidder waist and vnpeopled as it was at the tyme when your said Sone landed first to plant ther, by vertew of our commission, and this yow fail not to doe, as yow wilbe answerable vnto ws. Greenwich, 10 July 1631.

1631.
July 12.

TO THE COUNSELL.

[CHARLES R.]

Right trustie and right weilbelouit Cousine and Counsellour, &c. Seeing we have sene, by a letter from yow, the ordour of Barronets erected by our late dear Father and ws, for furthering the Plantation of New Scotland, was approved by the whole Estats of our kingdome at the last Convention; And that we vnderstand, both by ther reports that cam from thence, and by the sensible consideration and notice taken therof by our nyghbour cuntreyis, how well that work is begun, Our right trustie and weilbeloved counsellour Sir William Alexander our Leivtennent ther haueing fullie performed what was expected from him, for the benefite which was intendit for him by these Barronets, being verie desyreous that he should not suffer therein, bot that both he and others may be encouraged to prosecute the good begining that is made, as we hartelie thank all such as hath contribute ther ayde by contracting with him for advancing of the said work alreadie, Our pleasur is that yow seriouslie consider, either amongst yow all, or by a Committie of such as ar best affectionat towards that work, how it may be best brought to perfection; for we are so far (whatever contraversie be about it) from quyting our title to New Scotland and Canada, that we wilbe verie carefull to mantene all our good subjects who doe plant themselfis there, and lett none of the Barronets anyway be prejudged in the

honour and priviledges conteynit in ther Patents, by punishing of all that dare to presume to wrong them therin, that others may be encouraged to tak the lyk course, as the more acceptable vnto vs and the nearer to a title of Nobilitie, whervnto that of Barronets is the next degrie: And if the said Sir William as our Livetennent of New Scotland shall convene the Barronetts to consult to-gidder concerneing that Plantation, we herby authorise him, and will yow to authorise him as far as is requisit for that effect, willing that Proclamatioun be made of what we haue signifeid, or of what yow shall determine for furthering that work, wherof we recomend the care to yow, as a matter importing speciallic our honor and the good of that our ancient kingdome. From our Mannour at Greenwich, the twelfe day of Julij 1631.

PRO REGE GALLORUM.

1631.
July 28.

CAROLUS Dei gratia Magnæ Britanniæ Franciæ et Hiberniæ Rex fideique defensor etc. Omnibus hasco visuris salutem: Quandoquidem omnino justum æquum et bonum judicamus, vt jam tandem pax et concordia nuper inter nos et Regem Christianissimum, fratrem nostrum charissimum conclusa, pristinum vigorem et effectum recuperent, atque adeo omnes contraversiæ et difficultates quæ hæctenus hinc inde intercederunt inter nostra regna et subditos mutuo redintegrata et perfecta reconciliatione vtrunque removerantur et aboleantur, In quem finem nos inter alias conditiones ex nostra parte præstandas Consensimus desertionem facere fortalicii seu castri et habitationis Portus Regalis, vulgo *Port Royall*, in Nova Scotia, qui flagrante adhuc bello vigore diplomatis seu commissionis sub regni Scotiæ sigillo pro derelicto captus et occupatus fuerat, et illud tamen sine vlllo prejudicio juris aut tituli nostri aut subditorum nostrorum inposterum: Nos promisserum atque verbi nostri Regii fidem quibuscunque contrariis rationibus et objectionibus hac super re illatis aut inferendis anteferentes, hisco literis asserimus et in verbo Regio promittimus nos præcepturos curatores et effecturos vt a nostris in dicto fortalicio siue castro et habitatione Portus Regalis, vulgo *Port Royall*, subsistentibus subditis siue seu milites præsidialii siue seu Coloni et Incolæ ibidem morentur et habitentur immediate quam primum nostræ jussionis literæ a deputatis vel commissariis qui easdem a prefato nostro fratre charissimo Rege Christianissimo, eo mandandi, habebunt efferendas ipsis erunt exhibitæ et perfectæ, atque redeandi facultas data, dictum castrum seu fortalitium et habitatio in Portu Regali durantur deserentur, relinquantur, denique arma tormenta commeatus armenta bona et vtensilia inde asportentur In cujus rei testimonium has literas nostras manu nostra et magno regni nostri Scotiæ sigillo signare et confirmare volumus: Quæ dabantur ex Palatio nostro Grenovici, die 28 mensis Julij Anno Domini 1631, et nostri regni septimo.

1631.
July 28.

PROCLAMATIOUN ANENT BARONNETTIS.

Apud Halyrudhous 28 Julij 1631.

Forsamekle as the order of Barronnets erected by our Souerane Lord and his lait dear Father of blessed memorie for fordering the plantatioun of New Scotland wes approvin be the whole Estaits of this kingdome at the last Conventioun and his Majesties vnderstanding by many reports that come from hence, and by the sensible consideration and notice taken thair of by nighbour countreis how weil that work is begun, His Majesteis right traist cousine and counsellor the Viscount of Stirling his Majesteis lieutenant there haucing fullie performed what wes expected from him for the benefite whilk wes intendit by these Baronnets: And His Majestie being verie desirous that he sould not suffer thairin but that both he and others may be encouraged to prosecute the good beginning that is made His Majestie for this effect is so farre (what ever contraversie be anent it) from quitting his title to New Scotland and Cannada that his Majestie will be verie carefull to mainteane all his good subjects who doe plant thameselves there and will lett none of the Baronnets be anie waye prejudged in the honour and priviledges conteanit in thair Patents, bot will punishe all that darre presume to wrong thame thairin, for encourageing of others to take the lyke course as the more acceptab' to his Majestie and the nearer to ane title of nobilitie whairunto that of Baronnet is the next degree And Ordanis letters to be direct chargeing officiaris of armes to pas and make publicatioun heirof be opin. proclamatioun at the Mercat Croces of the heid Burrowes of this kingdome and uther places neidfull, quhairthrow nane pretend ignorance of the same.

1631.
July 28.

COMMISSION ANENT BARONNETS.

The Lords of Secreit Counsell for the better furderance and advancement of the plantatioun of New Scotland, Gives and grants Commission be thir presents to Thomas Erle of Hadinton Lord Privie Seale, George Erle of Wintoun, Alexander Erle of Linlithgow, Robert Lord Melvill, John Lord Traquair, Archibald Lord Napier, David Bishop of Rosse Sir Archibald Achesone Secreterie, Sir John Hamiltoun of Magdalens Clerk of Register, Sir Thomas Hope of Craighall knight baronnet Advocat, Sir George Elphinstoun Justice Clerk, Sir John Scot of Scotstarnet, and Sir James Baillie, Or anie fyve of thame without excluding of anie others of the Counsell who sall be present To convene and meet with William Viscount of Stirling and the Knights Baronnets at such tyme and place as the said Viscount of Stirling sall appoint And to conierre with thame upoun the best meanis

PREFACE.

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for the furldering of the said Plantatioun And to make and sett down Overtures thereanent And to present and exhibit thame to the saids Lords to the intent they may allowe or rectifie the same as they sall thinke expedient.

Followes his Majesteis missive for Warrant of th . Act above writtin.

CHARLES R.

Right trustie and right weilbelouit Cousine and Counsellour

[See *supra*, p. 68].

From our Mannour at Greenwich, the twelf day of Julij 1631.

TO THE THESAURER DEPUT.

[CHARLES R.]

1631.
July 28.

Right, &c. Wheras we wer pleased in July last to send our right trustie, &c. the Viscount of Stirling our principall Secretarie for that our kingdome about bussines speciallie importing the good of our service, for which he had no allowance of ws towards the defraying of his charges, and that now vpon the lyk reasone we have thought good to send him bak agane It is our pleasur that vpon sight heirof yow pay vnto him the sowme of [*blank in MS.*] and the lyk sowme whensoever heirefter he by our speciall direction shalbe imployed by ws thither, out of the first readiest of our rents and casualiteis whatsumever. Greenwich, 28 July 1631.

N. BRIOTT.

[CHARLES R.]

1631.
December 8.

Wheras we have made choyse of our trustie and weilbeloved Nicolas Briott our cheiff graver of our Mynt of England for the coyneing of a certane quantitie of Copper Coyne, presentlie ordeaned by ws and our Counsell to be coyned in the Mynt of that our kingdome, for which vse we have expresslie directed him thither Our pleasur is, yow permitt him to sett vp and establish in the most convenient place of our said Mynt all engynes and tooles necessarie for that work, and to give vnto him or his deputeis all concurrence and assistance, till the said quantitie of copper be fullie coyned. Whythall, 8 December 1631.

TO THE COUNSELL.

[CHARLES R.]

1631.
December 13.

Right, &c. Wheras vpon our pleasur formerlie signifeid vnto yow tuitching the Copper Coyne yow gave ordour for coyneing of fyftene hundredth stone wecht of copper vnto farthing tokens of the lyk weght and value as thay ar current in this kingdome Being now informed by our right, &c. the Viscount of Stirling our principall Secretarie ther that diverse of our loveing subjects conceave the division

of the penney sterling formerlie vsed to be more convenient for exchange and reckonyng then the new division into four farthings and that (for avoyding the danger of counterfitting and for the more exactnesse of the impression) it is thoght fitt to mak the Copper money of a greater proportion of weght Our pleasur is that the said quantitie of Copper be coyned in severall spaces of penny two penny and four penny peices and that a fyftene part thereof be coyned into pennys weying eight granes the peice (being the weght formerlie allowed by yow to the farthings) and the remanent quantitie be equall division into two and four penny peeces of proportionable weght to the penny causing distinguish them be ther bearing on the one syd the figure or number of ther value vnder ane imperiall Crowne with our Inscription and on the vther the Thistle with the vsuall Motto and that ther be made of the said thrie peeces the said quantitie of Copper so ordeared by yow to have bene coyned in farthings with what addition yow shall now or heirefter think fitt in regard of the alteration of the weght of the peices and as the necessitie of the Cuntreie shall requyre Which Coyne we will to have course amongst our subjects for the vse of the poore and change of small commo-diteis without any vther imposition in the payment of great sowmes then hath bene formerlie accustomed in the Copper Coyne of that our kingdome or shall from tyme to tyme seme expedient vnto yow And in regard of the necessitie of a speedie returne hither for occasion concerneing our service of Nicolas Bryot our cheiff graver of our Mynt heir whom we directit thither for coyneing these moneyis We speciallie recommend vnto yow that no farder delay be made in putting that work to perfection. Whythall, 13 December 1631.

1631.
December 29.

[CHARLES R.]

TO THE COUNSELL.

Right, &c. Wheras vpon our pleasur formerlie signifeid vnto yow tuitching the Copper Coyne yow gave ordour for coyneing fyftene hundreth stane weght of Copper into farthing tokens of the lyk weght and value as they ar current in this our kingdome being now informed by our right, &c. the Viscount of Stirling our principall Secretarie ther that diverse of our loveing subjects conceave the division of the penny sterling, &c. [see above] as is forsaid in the vther letter.

1632.
February 19.

VISCOUNT STIRLING: SIGNATURE £10,000, &c.

[CHARLES R.]

Right &c. Wheras we send heirwith inclosed vnto yow a signature of Ten Thowsand pund sterling in favours of our right, &c. the Lord Viscount of Stirling to be past and exped by yow vnder our great Seall; least any

mistaking should ensue therupon we have thought it good to declare vnto yow that (as it may appear by itself) it is nowayes for quytting the title ryght or possession of New Scotland or of any part therof, bot onlie for satisfaction of the losses that the said Viscount hath by givinge ordour for removeing of his Colony at our express command for performeing of ane Article of the Treatie betwixt the French and ws, and We ar so far from abandoneing of that busines as We doe heirby requyre yow and everie one of yow to affoord your best help and encouragement for furthering of the same, cheiflie in perswading such to be Baronets as ar in qualitie fitt for that dignitie and come befor yow to seek for favour from ws: but remitting the maner to your own judgment and expecting your best endeavours heirin willing thir presents to be insert in your books of Exchequer, and ane act made therupon, We bid, &c. Whythall, 19 February 1632.

SIR WILLIAM ALEXANDER : LUBEC SHIP.

1632.
March 3.

[CHARLES R.]

Right, &c. Whereas we are informed that ther is ane action in Law betweene Sir William Alexander kny^t and some Citizens of Lubec depending befor you concerneing ane schip which they alledge to be wrongouslie takin from them and vnjustlie declared pryse by ane Court of Admiraltie ther, wherenant we directed our warrant to yow two yeres agoe at their desyre Notwithstanding wherof as we ar lykwyse informed they haue delayed till now to prosecute the same befor yow, thoght the said Sir William hath bene severall tymes present ther since that tyme Therfor in regard that his presence for his particular knowledge in that state of the bussines may conduce to the cleiring of it, and that he can not as yit repair thither for occasions speciallie concerning our service Our pleasur is, that all further proceeding therein be delayed till the first day of Jan^y nixt insueing, that he may convenientlie attend the determination of the same: for doing wherof these presents salbe, &c. Newm^c-ket, 3 March 1632.

SIR JAMES BALFOUR, LYON KING AT ARMES.

1632.
March 15.

[CHARLES R.]

Trustie, &c. We haue bene latelie pleased to confer vpon our right, &c. Sir WILLIAM ALEXANDER kny^t our principall Secretarie for Scotland the title of VISCOUNT STIRLING as ane degrie of honour which we have estemed due to his merite And to the effect ther be nothing wanting which is vsuall in this kynd that this our favour and the remembrance of his good and faythfull services done vnto ws may be in record Our pleasur is and We doe heirby requyre yow

according to the dewtie of your place to marshall his Coate Armour alloweing it to him quartered with the Armes of Clan Allaster who hath acknowledged him for cheiff of ther familie, in whois armes according to the draught which we send yow heirwith, quartered with his coat, We ar willing to confirme them Requyreing yow to Register them accordiaglie; and we doe further allow to the said Viscount Stirling the armes of the countrie of New Scotland in ane inscutschione as in a badge of his endeavours in the interprysing of the work of that plantation which doe tend so much to our honour and the benefite of our subjects of that our kingdome: and with all to fitt his said Coat with a convenient crest and supporters such as may be acceptable vnto him; for doing whairof, and for registring of this warrand and his Coat in your registers for that purpois, or for drawing such farther warrant as shalbe requisit, these presents shalbe your warrant. Newmerket, 15 March 1632.

1632.
May 29.

SIR HENRIE MARTEN: PRYSE OF A LUBEC SCHIP.

[CHARLES R.]

Trustie, &c. Wheras we have bene petitioned concerning a schip of Lubec that some yeres agoe was declared pryse in our Court of Admiraltie in Scotland, We ar desyreous befor we giue any ordour therin to haue your opinion according to the case which we send yow heirwith Therfor our pleasur is that yow pervse it and delyver vnto ws your opinion concerneing the same that we may be the better informed to giue such ordour as shalbe further requysite. Greenwich 29 May 1632.

1632.
June 12.

RESTITUTION OF QUEBEC TO THE FRENCH.¹

CHARLES R.

Trusty & well beloved we greete you well, For so much as there is made a finall good agreem^t betwixt vs & o^r brother, the French King, and that allwise as well betwixt o^r Crownes as subjects are settled by a mutuall & perfect accord, that amongst other particularities on o^r side Wee haue consented to the restitution of the fort & habitation of Kebeck in Canada, as taken by force of armes since the peace, howsoever the Commision were given out to you duringe the warre betwixt vs & the said King. Wee preferring the accomplishm^{nt} of o^r Royal words & promises before all whatsoever allegations may be made to the contrary in the behalfe, as wee haue obliged o^r selves to that King for the

¹ Colonial Papers, p. 151.

due performance thereof by an act passed under the great Seale of this o^r Realme of England; so Wee doe by these o^r letters straightly charge & comaund you, that vpon the first commodity of sending into these parts & meanes for yo^r people to returne yea we give notice & order to all such subjects of o^{rs} w^{ch} are under yo^r commission & government, as well folowers w^{ch} are in garrison in the forsayd fort & habitation of Kebec for defence thereof, as inhabitants w^{ch} are there seated & planted, to render according to the said agreem^{nt}, the said fort & habitation into the hands of such as shalbe by o^r sayd brother, the French King, appointed & authorised to comaund & receaue the same from them in the same state it was at the tyme of the taking, w^{thout} demolishing any thing of the fortifications & buildings, w^{ch} were erected at the tyme of the taking, or w^{thout} carying away the armes, munitions, marchandise, or vtensilla w^{ch} were then found therein. And yf anything hath bene formerly caryed away from thence o^r pleasure is it shalbe restored eyther in specie or value, according to the quality of what hath bene made to appeare upon oath & was sett downe in a schedule made by mutuall consent of such as had cheife comaund on both sides at the taking & during thereof. And for see doing these o^r letters shall not only serue for content, but likewise for such expresse signification of o^r will & pleasure, whosoever officer, soldier, or inhabitant, shall not readily obey, but shew himself cross or refractory thereunto, shall incurre o^r highest indignation, & such punishm^{nt} and penalty as shalbe due unto offendo^{rs} of so high a nature. Given under o^r Signett at o^r Mann^{or} of Greenwich the twelft of June in seaventh [eighth] yea^{re} of o^r raygne.

(*In dorso.*) To our trusty and wellbeloved Sir William Alexander knight, Robert Charlton and William Barkly our Commissioners for the Gulfe & River of Canada and parts adjacent & to their partners & Deputyes & all others whom it may concern.

SIR WILLIAM ALEXANDER: LUBEC SCHIP.

[CHARLES R.]

Right, &c. Haueing heard that there are some actions depending befor yow for reducing of decreits that wer gevin by our Admirall vpon pryse schippes durieng the tyme of the late warris, we ar confident that he hath not proceedit in any such processe but vpon verie just groundis and no decreit gevin by our Admirall of this our kingdome can be reduced befor aney vther judge saue by such as ar especiallie appoynted by ws for that purpois and though we doe not intend to derogate from our Judicatorie in aney thing that is proper object thairof yet in regard that our right, &c. the Duke of Lennox our Admirall is

1632.
June 14.

absent for the present, and a minor of whome we have takin charge, and that we would not have any just caus gevin to discourage others heirefter to ondertak in our service in the lyk kynd when they shall sie these to suffer who efter sentence gevin in the ordinarie Court haue disposed of the goodis according thervnto We have thocht fitt to recommend vnto yow that yow proceed the more warelie in any action persewed befor yow of this nature that these our subjects who ar or shalbe interested in that kynd may find all the just favour and encouragement which the practeis of other nationes and the Lawis of that our kingdome may allow: which especiallie recommending vnto your care we bid, &c. Greenwich, 14 Junij 1632.

1632.
June 14.

ADVOCATE: NEW SCOTLAND.

[CHARLES R.]

Trustie, &c. Wheras vpon the late Treatie betwixt ws and the French King we wer pleased to condescend, that the Colonie which was latelic planted at Port Royall, in New Scotland, should be for the present removed from thence, and have accordinglie gevin ordour to our right, &c. The Viscount of Stirling our principall Secretarie for Scotland, altho, by all our severall ordours and directions concerning that busines, we have ever expressed that we have no intention to quyt our right title to anie of these boundis, yet, in regard our meaneing perchance will not be sufficientlie vnderstude by these our loveing subjects who heirefter shall intend the advancement of that work, ffor ther further satisfaction heirin we doe heirby requyr yow to draw vp a sufficient warrant for our hand to pas vnder our great seall, to our said Right, &c. the Viscount of Stirling to goe on in the said work whensoever he shall think fitting wherby for the encouragement of such as shall interest themselffis with him in it he may have full assurance from ws in *verbo principis*, that as we have never meant to relinquish our title to any part of these cuntreyis which he hath by patents from ws, so we shall ever heirefter be readie by our gracious favour to protect him and all such as have or shall heirefter at aney tyme concurre with him, for the advancement of the plantations in these boundis forsaidis: And if at aney tyme heirefter by ordour from ws they shalbe forced to remove from the saidis boundis or aney part therof wher they shall happin to be planted, we shall fully satisfie them for all loss they shall susteane by aney such act or ordour from ws And for your soe doing, &c. Greenwich, 14 Junij 1632.

The 20 of Junij a packet went to Scotland direct to Sir Ar^d Achiesone, wherein ther was 5 Letteris of his Ma^{ty} To the Advocat, New Scotland: Session, Lubec Schip: Exchequer, James Dowgles: Chancellour, Sir Piers Corsbie: Counsell, Mr Ro^t Williamsons.

SIR WILLIAM ALEXANDER'S NOTE FOR NEW SCOTLAND.¹1632.
[June 16.]

A minute of some points considerable for his Majesties Service in regard of the French their possessing of New Scotland at this time.

The possessing of it by the French immediatlie vpon the late Treatie, though it bee not warranted by the Treatie, if some speidie act do not disproue it, will be held to be authorised by it.

The French pretend title to Virginia & New England as may appeare by their patent graunted to the Canada Companie of all Noua Francia from Florida to the North Pole, To be found in *Mercure François* anno 1627, which tytle may hereafter proue dangerous for his Ma^{ties} subjects in these pairts if the French become stronge in New Scotland.

It is eident that the French haue a designe more than ordinarie herein for besides there plantacion in Canada for the which there is a reason apparent in the benefite of trade, they haue this yeare sent 300 men to New Scotland where no present benefite can possiblie redound to them in proportion to the charge they are at, and are the next yeare as I am crediblie informed, to sett out ten shippes with planters these that are interested in it haueing bound themselues to a yearlie supplie of a great nomber of planters, which is a certane prooffe of some end greater then any persons expectation of proffeit can encourage them into.

This then future expectation in my judgement most consist in the use of wood, for building of shippes, and for haueing all materials requisite for shipping such as pitch, tarr, & roset, which are there in abundance, yron oare hath been lykeways formerlie discouered by the French themselues.

The building of shippes there and the imployment of them in fishing which aboundes vpon that coast especiallie Salt being to be made by the Sunne as in France lykelie to tend infinitlie to the iner case of shipping and of mariners, which apparentlie is the designe of the French besides that if the French doe once in a public and generall way enter to fish on that coast it can not but vndo the English trade that is by fishing, sence the French haue Salt at an easier rate than the English, but more if they make salt in the countrie which I am confident they may do.

If his Ma^{tie} shalbe pleased to appoint some whom he shall thinke fitt for considering these things and the like that may be proponed there may perchance some thing be found expedient to be done either now or hereafter tending to the advancement of his Ma^{ties} service in these pairts abroad.

These are only in all humble dutie without any priuat end to expresse what in the small experience I haue particularlie had herein I can conceaue may concerne the publick good.

¹ Colonial Papers, p. 152.

1632.
July 7.

LORD OCHILTREE'S CRIMINAL PROCESS.

CHARLES R.

Right trusty and right welbeloued Cousin and Counsellour Wee greate yow well Being informed that in regard the Lord Ochiltree is now vnder a criminall processe yow haue stopt the passing of a patent granted vnto him and Sir Peirs Crosbie and other their partners who had long since contracted with our right trustie and welbeloued Counsellour the Viscount of Sterlin for some landes in New Scotland And being willing to secure all such Vndertakers in that plantation and to encourage them to prosecute their vndertakings for the good of our seruice, and encrease of our domyniones Wee for these respects and particularlie calling to mind the good services done vnto Vs by the said Sir Peirs, and conceauing good hopes of his future service in New Scotland are hereby pleased that the said patent be exped vnder our Greate Seale causing raze out the Lo. Ochiltrees name: Otherwayes (if yow find a necessitie) that yow cause draw a patent of new for that purpose to be exped vnder our Cachett and Great Seale without passing other Seales or Registers, for which these shalbe sufficient warrant Wee bid you farewell From our Manour of Greenewich the 7 of June 1632.

Apud Halyrudhouse 28 July 1632.

Presented read and ordayned to be registrat, and the princ^l to be given bak to My Lo. Chancellour, and ane Act conforme to the letter to be buiked.

HADINTON, *I.P.D.*

To our right trustie and right welbeloued Cousin and
Counsello^r the Viscount of Duplin our Chanceler
of our kingdome of Scotland,

(*In dorso.*) His Mat^{ties} letter anent Sir Peirce Corsbie, buikit 28 July 1632.

1632.
August 15.

[CHARLES R.]

TO THE BARRONETS.

Trustie, &c. Wheras our late dear fater out of his pious zeall for the advancement of religion in the remote parts of his dominions wher it had not bene formerlie knowen and out of his royall care for the honour and well of that our ancient kingdome was pleased to annex to the Croun therof the dominion of New Scotland in America that the vse of it might aryse to the benefite of that kingdome we being desyreous that the wished effects might follow by the continuance of so noble a designe wer pleased to confer particular marks of our favour vpon such as should voluntarlie contribute to the furtherance of a plantation to be estab-

lished in these boundis as appeared by our erecting of that order of baronetts wherewith yow ar dignifeid wherunto we have ever since bene willing to add what further we conceaved to be necessarie for the testifeying our respect to these that ar alreadie interested and for encouraging of them who shall heirefter interest themselves in the advancement of a work which we so reallie tender for the Glorie of God the honour of that nation and the benefite that is lyklye to flow from the right prosecution of it But in regard that notwithstanding the care and diligence of our Right, &c. the Viscount of Stirling whom we have from the beginning entrusted with the prosecution of this work, and of the great charges alreadie bestowed vpon it hath not takin the root which was expected partlie as we conceive by reasone of the incommodeiteis ordinarlie incident to all new and remote beginnings, and partlie as we ar informed by want of the tymelic concurrence of a sufficient number to insist in it; bot especiallie the Colonie being forced of late to remove for a tyme by meanes of a Treatie we have had with the French Thairfor We have takin into our royall consideratioun by what meanes agane may this work be established and conceaving that ther ar none of our subjects whom it concerneth so much in credit to be affectioned to the progres of it as these of your number for justefieing the groundis of our princelie favours which yow have receaved by a most honorabill and generous way we have thocht fit to direct the bearer heiroyf Sir William Alexander kny^t vnto yow who hath bene ane actor in the former proceedingis and hath sene the cuntrie and knowen the commoditeis thereof who will communicat vnto yow such propositions as may best serve for making the right vse heirefter of a plantation and trade in these boundis for encouraging such as shall adventure therein And we doubt not bot if yow find the groundis reasonable and fair yow will give your concurrence for the further prosecution of them And as We have alreadie gevin ordour to our Advocat for drawing such warrandis to pass vnder our sealls ther wherby our loveing subjects may be fred from all misconstruction of our proceedingis with the French anent New Scotland and secured of our protection in tyme cuming in ther vndertakeris vnto it So we shalbe readie to contribute what we shall heirefter find we may justlie doe for the advancement of the work and the encouragement of all that shall joyne with yow to that purpois Which recommending vnto your care We bid yow farewell. Beawlie, 15 August 1632.

SIR PEIRCE CORSBIE: WARRANT FOR A SCHIP TO PASS.

1633.
March 4.

[CHARLES R.]

Wheras the good schip called the _____ of the burthen of _____ is
to be sent out by Sir Peirce Corsbie knight and baronet, one of our privie coun-

sell of Irland, towardis America for setting of a Colonie ther according to such particular warrants as he hath from us to that purpois These ar therfoir to will and requyre yow and euerie ane of yow to permitt and suffer the said schip and her whole furniture goodis merchandice schips companie and planters quyetlie and peaciablie in ther goeing thither returneing from thence or dureing ther being furth of any vther part whatsoever till they shal happin to returne to any of our dominions to pas by yow without any your lat stayis troubles imprests of ther men or any vther hindrance whatsoever whairof you shall not faill. Whythall, 4 March 1633.

To our trustie and weilbelovit The Officers of our Admiraltie the Captanes and Masters of our schips and to all vther officers and our loveing subjects whom these presents doe or may concerne.

1633.
March 4.

TO SIR PEIRCE CORSBIE: COLONIE IN AMERICA.

[CHARLES R.]

Trustie, &c. Wheras we ar informed that yow ar goeing on in preparations for setting furth a Colonie to plant in America according to such warrants as yow have alreadie vnder our hand and which ar past vnder our great seall of our kingdome of Scotland, your endeavours heirin ar verie acceptable vnto us And we doe heirby allow yow to proceid and for your further encouragement and all such as ar therin entrusted with yow we doe heirby assure yow that we shalbe euer readie to protect yow in this your vndertaking aganst all persones whatsumever, and as occasion shall offer we will giue yow such further testimonie of our favour as may stirr vp vthers to the lyk generous vndertakingis So recommending the serious prosecution of a work so much concerneing our service We bid, &c. Whythall, 4 March 1633.

1633.
April 24

COMMISSIONERS FOR THE PLANTATION OF NEW SCOTLAND.

[CHARLES R.]

Trustie, &c. Wheras our late dear Father for the honour of that his ancient kingdome did grant the first Patent of New Scotland to the Viscount of Stirling and was willing to conferr the title of Knyght Baronet on such of his weil deserving subjects as should contribute to the advancement of the work of the plantation in the said cuntrey we wer pleased to giue ordour for the effectuating of the same according to our Commission direct to yow for that purpois And vnderstanding perfectlie (as we doubt not is weil known vnto yow all) that the said Viscount did

begin and prosecute a plantation in these parts with a far greater charge then could be supplied by the meanes forsaide And the rather in regard of the late discouragement of some by our commanding him to remove his Colonie from Port Royall for fulfilling the Articles of ane treattie betwixt our brother the French King and us to mak everie thing betwixt us be in the esteat wherein it was befor the warre hearing that ther was a rumour gevin out by some that we had totallie left our purpois to plant in that cuntrey as haveing surrendred our right therof Least any further mistakings should aryse heirypon we thought good heirby to clear our intencion therein which is That our said Viscount with all such as shall adventure with him shall prosecute the said work and be encouraged by all lawfull helps therunto alswell by compleiting of the intendit number of Knyght Baronetts as other wayes And being informed that some of our subjects of good qualitie in this our kingdome and Ireland who have taken Land in New Scotland holdin from us did accept of the said dignitie ther and more obliged to contribute as much towardis the said Plantatioun as any vther in that kynd war putt to far greater charges at the passing of ther rights then the natives of the kingdome wer at in the lyk caise It is our pleasur that whosoever aney of our subjects of qualitie fitt for that dignitie within this our kingdome or of Ireland haveing takin landis holdin of us in New Scotland And having agried with our said Viscount for ther part of a supplie towardis the said plantation and that it is signifeid so by him vnto yow that till the number of Barronettis formerlie condescendit vpon be compleit yow accept of them and giue ordour that ther Patents be passed at as easie a rate as if they wer naturall subjects of that our kingdome and this yow mak knownen to such persones and in such maner as yow in your judgments shall think fitt, for doing wharof, &c. Whythall, 24 Aprill 1633.

PATENT TO SIR WILLIAM ALEXANDER KNIGHT AND OTHERS
for the sole trade in all & singular the Regions, Countreys Dominions & all places whatsoever adjacent to the River & Gulf of Canada, & the sole Traffick from thence and the places adjoyning, for beaver skins & wooll, and all other skins of wild beasts for 31 yeares. 9 Car. 1.¹

1633.
May 11.

ACT XXVIII. RATIFICATION IN FAVOUR OF THE VISCOUNT OF STERLING, of the infeftments and signature granted to him of the Dominions of New Scotland and Canada in America, and Priviledges therein contained, and of the dignity and order of Knight Baronets, and Act of Convention of Estates made thereanent.

1633.
June 28.

Our Sovereigne Lord, and Estates of this present Parliament, Ratifie and

¹ Colonial Papers, p. 165.

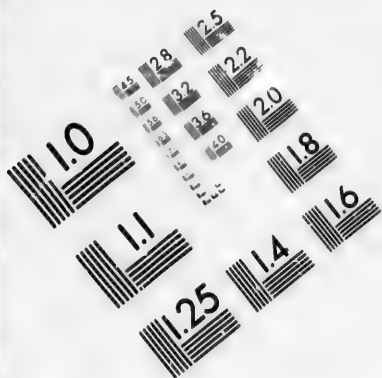
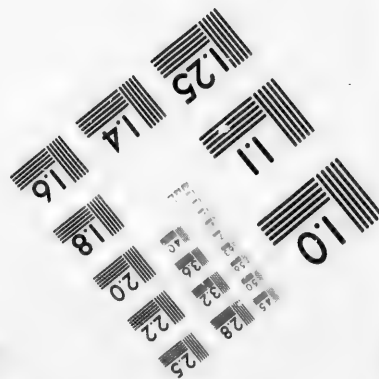
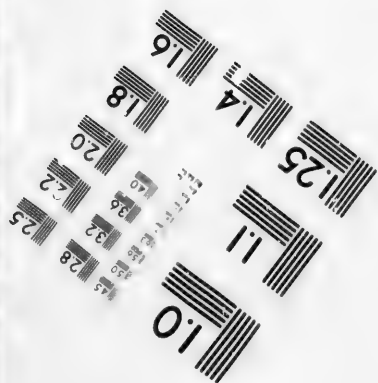
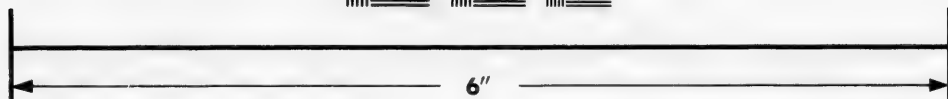
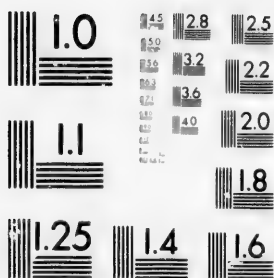


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approve all letters Patents, and Infeftments granted by King Iames the Sixth of blessed memorie, or by our said Sovereigne Lord, unto William Viscount of Sterling, and to his heires and assignes of the Territories and Dominions of new Scotland and Canada in America; and especially the Patent, Charter, and Infeftment granted by his Majesties umwhile dearest Father of worthie memorie, of new Scotland, of the date the tenth day of September, the yeare of God 1621.¹ Item, another charter of the same, granted by his Majestie, under the great Seale, of the date the twelfth day of July, 1625 years.² Item, another Charter and infeftment granted by his M^{tie} of the Countrie and Dominion of new Scotland under the great Seale, of the date the third day of May, 1627 yeares.³ Item, another Charter and Infeftment granted by his Majestie under the great Seale, of the River and gulf of Canada, bounds, and priviledges thereof, mentioned in the said Patent, of the date the second day of Februarie, 1628 years.⁴ Item, a Signature past under his Majesties hand of the said Countrie and Dominion, which is to be with all diligence exped through the Seales, of the date at Whitehall the twenty fourth day of Aprill, 1633 years.⁵ With all liberties, priviledges, honours, jurisdictions, and dignities *respective* therein mentioned. Together also with all execution, precepts, instruments of seaisings, and seaisings following, or that shall happen to follow thereupon. And also ratifies and approves the Act of general Convention of Estates; at Holy-rude-house, the sixth day of July, the year of God 1630.⁶ Whereby the said Estates have ratified & approved the dignities & order of Knight Baronet; With all the Acts of Secret Counsell, and Proclamations following thereupon, made for maintaining of the said dignitie, place and precedence thereof. And his Majestie and Estates foresaid, will, statute, and ordaine, that the said letters Patents, Charters, and Infeftments; and the said dignitie, title, and order of Baronets, and all letters patents and infeftments of Lands, and dignities granted therewith, to any person whatsoever, shall stand and continue in full force; with all liberties, priviledges and precedencies thereof, according to the tenour of the same. And in als ample maner as if the bodies of the said letters patents, infeftments, and signature above mentioned were herein particularly ingrost and exprest. And ordaine intimation to be made hereof by open proclamation to all his Majesties lieges, at the market crosse of Edinburgh, and other places needfull, that none pretend ignorance hereof.⁷

¹ Printed infra, among the Charters, p. 3.

² Ib. p. 27.

³ This charter apparently is not recorded.

⁴ Infra, p. 46.

⁵ Supra, p. 80.

⁶ Supra, p. 58 Acts of Parl., vol. v., p. 208, *et seq.*

⁷ Acts 1 Parl. Charles I., p. 60.; Edinb. 1633. Acts of Parl., vol. v., p. 43.

TO THE COUNSELL AND COMMISSIONERS APPOINTED FOR
PASSING THE PATENTS OF KNIGHT BARRONETS, AND IN-
FEFTMENTS OF LANDS IN NEW SCOTLAND.

1633.
September 27.

A Letter concerneing New Scotland was past 27 September 1633, verbatim,
lyk vnto that which was past 24 Aprill 1633. [See p. 80.]

TO THE COUNSELL.

1633.
September 27.

[CHARLES R.]

Right trustie and right weilbelouit Cousine and Counseller, right trustie
and weilbelouit Cousines and Counsellers, trustie and weilbelouit Counsellers,
and trustie and weilbelouit We greit you weill Whereas our lait deir Father
for the honnour of that his ancient Kingdome did grant the first patent of
New Scotland to our right trustie and right weilbelouit Cousine and Counsel-
ler William Erle of Stirline, and wes willing to conferre the title of Knight
Baronnet on suche of his weill deserving subjects as sould contribute to the ad-
vancement of the worke of the plantation in the said countrie We wer pleased to
giue order for effectuating of the same, according to our commissioun directed to
you for that purpose And understanding perfytelie (as We doubt not bot is weil
knowne to ycw all) that the said Erle did begin and prosecute a Plantation in
these parts with a farre greater charge than could be supplied by the meanes fore-
said, and the rather in regarde of the late discouragement of some by our com-
manding him to remove his colonie frome Port Royall for fulfilling of ane article
of the Treatie betuix Our Brother the Frenche King and Us, To make everie
thing betuix Us be in the estait wherein it wes before the warre, hearing that
there wes a rumour givin out by some that We had totallie left our purpose to
plant in that Countrie as having surrendered our right thereof, least anie further
mistaking sould arise heerupon Wee thought good heerby to cleere our intencion
therein: Whiche is, That our said Erle with all suche as sall adventure with him
sall prosecute the said worke and be encouraged by all lawfull helpes thereunto
als weil by compleitting of the intended number of Knights Baronnets as other-
wayes And being informed that some of our subjects of good qualitie in this our
Kingdome and Ireland, who having takin land in New Scotland haldin frome ws
did accept of the said dignitie there and wes obliged to contribute a/s muche to-
ward the said Plantation as anie other in that kynde wes putt to greater charges
in passing of thair ryghts than the natives of this kingdome wer in the like caise
It is Our pleasure that whensoever anie of our subjects of qualitie fitt for that

dignitie within this Our kingdome or of Ireland having takin lands holdin of Ws in New Scotland, and having agreed with our said Erle for thair part of a supplee toward the said Plantation, and that it is signified so by him vnto yow That till the number of Baronnets formerlie condescended vpon be compleit yow accept of thame and give order that thair Patents be past at als easie a rate as if they wer naturall subjects of that Our kingdome And this yow [sall] make knowne to suche persons and in suche maner as yow sall in your judgements thinke fitt for doing whairof these presents sall be your sufficient warrand. Frome Our Court at S^t James the 27 of September 1633.

1633.
October 18.

THE EARL OF STIRLING.

[CHARLES R.]

It is our pleaur that yow examyne what part of the moneyis due by ws vnto our right, &c. the Earle of Stirling hath bene payed vnto him, and the accompt of the Copper Coyne being dewlie made, that yow certifie what is lyklic entend vnto for his vse that ane vther course may be takin for his payment wher it may not by that meanes be due And if he cannot be convenientlie payed at this tyme nor particular assignement be made vnto him for the same, lest his creditours at this tyme mistrusting our intencion to pay him may persew him or your frendis whom we vnderstand to be bund as sureties for him: It is our pleaur to the effect he may not suffer for so much as is due by ws yow certifie ws what course ye think best for the tyme ather for payment of the principall to his creditours or of some part thereof, and that yow tak such course as yow shall think best to satisfie them for ther forbearing the same that they may not charge him till we appoynt his payment some other way which We warrand yow heirby to allow out of the benefite arrysing out of the Copper Coyne that he may reap the benefite We intend for him according to our warrand: for doeing whairof, &c. Whythall, 18 October 1633.

1634.
February 15.

ANENT NEW SCOTLAND.

Apud Edinburgh 15 Februarij 1634.

Forsamekle as his Majesteis laite deir Father of blessed memorie for the honnour of this his ancient kingdome of Scotland did grant the first patent of New Scotland to his Majesteis right traist cousine and counsellour Williame Erle of Stirlin and wes willing to conferre the title of Knight Barronet upon suche of his weil deserving subjects as sould contribute to the advancement of the worke of Planta-

tion in the said countrie His Majestie was pleased to give order for effectuating of the same, according to his commission directed to the Lords of Privie Counsell for that purpose And His Majestie understanding perfyctlie that the said Earle did begin and prosecute a Plantation in these parts with a faire greater charge than could be supplied by the means forsaid and the rather in regard of the late discouragement of some by His Majestie commanding the said Erle to remove the Colonie from Port Royall for fulfilling of ane article of the Treatie betuix His Majestie and his Brother the Frenche King to make everiething betuix thame to be in the estait wherein it wes befor the warre, hearing that there wes a rumour given out by some that His Majestie had totallie left his purpose to plant in that countrie as having surrendered his right thair of And thairfor least anie further mistaking sould arise heerupon His Majestie hes thought good heirby to cleere his intention heerin, which is, that the said Erle with all suche as sall adventure with him sall prosecute the said worke and be encouraged by all lawfull helpes thereunto als weil by compleating the intended nomber of Barronets as otherwayes And whereas some of the subjects of the Kingdome of England and Ireland of good qualitie who having takin land in New Scotland haldin of his Majestie did accept of the said dignitie ther and wes obliged to contribute als much toward the said Plantation as anie others in that kynde, wes putt to greater charges at the passing of thair rights than the natives of this Kingdome wer at in the like caises Thairfor His Majestie hes thought meet heirby to declare His Royall will and pleasure that whensoever anie of His Majesteis subjects of qualitie fitt for that dignitie within the Kingdoms of England or Ireland having takin land haldin of his Majestie in New Scotland and having agreed with the said Erle for part of a supplee towards the said Plantation, and that it is signified so by him to the saids Lords of Privie Counsell That till the nomber of Baronnets formerlie condescended upon be compleit the saids Lords sall accept of thame and give order that thair patents be past at als easie a rate as if they wer naturall borne subjects of this kingdome And the saids Lords Ordaunis letters to be direct chargeing Officers of armes to pas and make publication hereof be open proclamation at the mercat croces of the heid burrowes of this kingdome and others places neidfull Wherethrow nane pretend ignorance of the same.

Followes his Majesteis missive for warrand of the Act aboue writtin.

Right trustie and right weilbelouit, &c.

[See p. 83.]

From our Court at St James, the 27 of September 1633.

1634.
February 15.

ACCEPTATION OF A COMMISSION FOR PASSING INFETMENTS
OF NEW SCOTLAND.

Apud Edinburgh 15 Februarij 1634.

The whilk day, George Erle of Kinnoull Lord High Chancellor William Erle of Morton Lord High Thesaurer and Thomas Erle of Hadingtoun Lord Privie Seale of this Kingdome William Erle Marishell Robert Erle of Roxburgh Johne Erle of Annerdail Sir Johne Hay Clerk of His Majesteis Registers and Sir Thomas Hope of Craighall His Majesteis Advocat accepted upon thame the Commission granted vnto thame vnder His Majesteis Great Seale, dated at Theobalds, 14 Septembris 1633, for passing of Infetments of New Scotland.

1634.
March 18.

SIR ROBERT FILIBERT'S WARRANT.

[CHARLES R.]

Trustie, &c. Whereas we ar informed by our right trustie the Erle of Stirling our principall Secretarie for Scotland that yow ar goeing in a course with him towards the advancement of the work of the Plantatioun of New Scotland the good whair of we exceedinglie tender we cannot bot approve of your affection in this as in your other former publict vndertakings for the good of our servise, and as we ar willing to naturalise yow in that our kingdome of Scotland, and to conferre vpon yow the lyk honors and priviledges as vther Knyght Barronets vndertakeris in the forsaid Plantation doe enjoy, so we shalbe euer readie to encourage yow and all vthers that shall tak the lyk courses with further testimonie of our gracious favour as occasion shall offer. Newmerket, 18 March 1634.

1634.
September 18.

TO THE THESAURER AND DEPUTIE.

[CHARLES R.]

Right, &c. Whereas in consideratioun of a precept of 6000 lib Stg. granted be our late dear Father to our right trustie and weilbeloved Cousen and Counsellour the Erle of Stirling our principall Secretarie for Scotland for good and faythfull service done by him and of a warrant of Ten Thowsand punds granted by ws vnto him vpon verie good considerations as may appear by the same, We wer pleased to grant vnto him the benefite arysing by the coynage of the Copper money within that our kingdome for the space of nyne yeres and further till he should be compleitlie payed of all sowmes whatsumever due by ws vnto him: Now to the effect

our said servant may have the more assurance to mak bargane with others anent the said benefite for his releiff, and that ther may be a certane tyme appoynted for his payment, and for our havinge the benefite of the said Coyne to returne vnto ws We doe heirby ratifie vnto him his grant of the whole benefite arysing dew vnto ws of that Copper Coyneage during the tyme yit to rin of that his patent And it is our speciall pleasur that yow grant a warrant such as shalbe requisite of Coynadge of sex thowsand stane weght of Copper without intromission immediatlie efter the ending of the Coynadge of 1500 staine weght presentlie in hand and for continewing of the Coynadge efter the full perfyteing of the said 6000 stane from yeir to yeir for the accustomed quantitie as we coyned these two yeires past and that dureing the whole tyme yit to rin of his patent if ther sall any of it remane efter the full perfyteing of the Coynadge of the 6000 stane And that yow give ordour to our Advocat for drawing vp a sufficient discharge of the saids two precepts to be signed by our said servant with a discharge to him from ws of his intromission with any benefite arysing with the Coynadge dureing the tyme past or to cum of his patent (of the which we doe lykwayes heirby discharge him) and that without any accompt to be made vnto ws or any in our name for the same in regard of his discharge of his saids two precepts And caus registrat this our letter and mak such farder in Counsell & Exchequer as may be most expedient for the farder securitie and satisfaction of our said servant of such as he shall have occasion to treat or bargane with for making the best advantage of this our gracious intention towards him for doeing wherof ther presents shalbe vnto yow ane sufficient warrant. Theobalds, 18 September 1634.

LORD ALEXANDER, SESSIONER.

[CHARLES R.]

1634.
December 20.

Right, &c. It being fitt and necessarie for the good of our service that the extraordinarie place in our Session appoynted for our right, &c. the Erle of Stirling our Secretarie for that our kingdome (who necessarlie most attend our service about our persone) be supplied in his absence and vnderstanding the abilitieis and affection to our service of our right trustie and weilbeloved Counsellour the Lord Alexander whom we hold fitt to supplie that place and charge It is our pleasur that haveing administred vnto him the oath accustomed in the lyk caices yow admitt him to the said Extraordinarie place in Session¹ and that he enjoy all the priviledges and libertieis belonging thervnto for which these presents shalbe your warrant. Hampton Court, 20 December 1634.

¹ William Lord Alexander was admitted one of the Extraordinary Lords of Session (upon his father's resignation) on the 27th January 1635. (Brunton and Haig's Senators, p. 295.)

1634-5.
January 5.

TO SIR FERDINANDO GEORGE [GORGES] KNICHT.

[CHARLES R.]

Trustie, &c. Haveing fund it of late necessarie that some good course be established for right prosecution of the work of the Plantation of New Scotland in such kynd as may be most for the advancement thair of and the encouragment of such as vndertak therin And haveing (in regard of your affection and long endeavours in that work from the beginning, and your experience therin) bene pleased to mak choise of yow for vndertaking the chieff charge in managing of such things as shalbe for the good of that cuntrie and the governement to be established therin, We have thocht good at this tyme to requyre yow so soone as yow can convenentlie to repair to our Court that We may have your opinion and yow receave our direction in such things We shalbe pleased to requyre and appoynt tuitching this bussines. Whythall, 5 January 1634 stylo Anglicano.

1635.
January 9.

COMMISSIONERS FOR SURRENDERS.

His Majestie was pleased, by a Letter of his Heynes to his Commissioners for Surrenders, vpon the 9 January 1635 to requyre them to admitt the Lord Alexander to be ane of their number.

1635.
January 28.

TO SIR JAMES BALFOUR.

[CHARLES R.]

Trustie, &c. Whereas we did formerlie signifie our pleasur vnto yow that our right trustie, &c. the Erle of Stirling our Seeretarie for Scotland should haue the Armes of New Scotland in ane Inseutchion with his owin paternall coat and that other coat (which we lykwayes allow him to bear for reasones signifeid at that tyme vnto yow as by our letter may particularlie appear) now considering that he hath in particular and singular maner deserved the said augmentatioun of the Armes of New Scotland and to the effect he may bear it in a way propper vnto him selff and different to all others who ar authorized for bearing of it we ar pleased to allow it vnto him to be quartered in the first quarter with his other coats and thairfor it is our pleasur that yow draw such further warrant for this purpois as shalbe expedient and withall that yow register this our letter in your Books of Office to remane therin according to the custome in the lyk kynd to the effect no other may tak vpon them to bear the said agumentatioun in this maner to the prejudice of the gracious favour which We doe heirin intend to him alone ffor the which these presents, &c. Whythall, 28 January 1635.

COMMISSIONERS FOR PLANTATIONS.¹

1634-5.
January 29.

Att a Meeting, att the Lord Gorges' House in St Martin's Lane, January 29 1634—Present, Lord Maltreuers, L^d Gorges, S^r Ferd. Gorges, Capt. John Mason. This day the Earle of Stirling and the Lord Alexander were receaved into the New England Company as Councillours and Patentees.

Moreover it was ord^d att the same Meeting, that the Duke of Lenox, the Marques of Hamilton, and the Earle of Carlisle (being admitted of the Councill before this booke was received from Mr Dickenson Clerke of the Councell of State [and agent?] of the Lord Commissioners for the Plantations,) should be registered here as Pattentees and Councillours of the New England Company.

COUNCIL FOR NEW ENGLAND: GRANT OF LAND TO WILLIAM LORD ALEXANDER.²

1635.
April 22.

Grant of the Council for New England to William Lord Alexander, of all that part of the main land in New England from St Croix, adjoining New Scotland, along the sea coast to Pemaquid, and so up the river to the Kinebequi [Kenebeck] to be henceforth called the County of Canada; also the island of Matowack, or Long Island, to the west of Cape Cod, to be hereafter called the Isle of Sterling; to be holden of the Council and their successors, *per Gladium Comitatus*, that is to say, to find four able men, armed for war, to attend upon the Governor of New England for the public service, within fourteen days after warning given. [Copy on parchment.]

To all Christian people vnto whom theis presents shall come The Councell for the Affaires of New England send greetinge in our Lord God everlastinge. Whereas our late Souraigne Lord Kinge James of blessed memory by his highnes Letters Patente vnder the greate seale of England, bearing date att Westminster the Thirde daye of November in the eighteenth yeare of his Ma^{ties} raigne ouer his highnes Realme of England, for the consideration in the said Letters Patente expressed and declared hath absolutely given graunted and confirmed vnto the said Councell and theire successors for euer all the lands of Newe England in America lyinge and beinge in breadth from fortie degrees of Northerly latitude from the Equinoctiall lyne to fortie eight degrees of the said Northerly latitude inclusivelie and in length of and within all the breadth aforesaid throughout the maine land from Sea to Sea. Together alsoe with all the firme lands, soyles,

1635.
April, 22.

¹ Colonial Papers, p. 195.

² Ib. p. 204.

grounde, havons, ports, rivers, waters, fishinge, mynes, and mineralls, as well Royall mynes of Gold & Silver as other mynes and mineralls pretious stones quarries and all and singular other commodities jurisdictions royalties priviledges, franchises, and preheminences both within the said tracte of land vpon the Maine and alsoe within the Islands and Seas adjoininge (as by the said Letters Patents amongst diuers other things therein conteyned more att large it doth and may appeare) Now Knowe all men by these presents that the said Counsell of New England in America beinge assembled in publique Courte, accordinge to an acte made and agreed vpon the thirde day of february last past before the date of theis presents for diuers good causes and consideracions them herevnto especially movinge have given, graunted, aliened, bargayned, and sold And in and by theis presents doe for them and theire Successors give, graunt alien bargainne sell and confirme vnto the right honorable William Lord Alexander his heires and assignes, All that part of the Maine Land of Newe England aforesaid beginninge, from a certaine place called or knowne by the name of Saint Croix next adjoininge to New Scotland in America aforesaid and from thence extendinge alonge the sea coast vnto a certaine place called Pemaquid, and soe vpp the River thereof to the furthest head of the same as it tendeth Northwarde and extendinge from thence att the nearest vnto the River of Kinebequi and soe upwards alonge by the shortest course which tendeth vnto the River of Canada from henceforth to be called and knowne by the name of the Countie of Canada. And alsoe all that Island or Islands heretofore comonly called by the severall name or names of Matowack or Longe Island and hereafter to be called by the name of the Isle of Starlinge situato lyinge and beinge to the westward of Cape Codd or the Narohiganlets within the latitude of fortie or fortie one degrees or thereabouts abuttinge vpon the Maineland betweene the two Rivers there knowne by the severall names of Conectecutt and Hudsons River and conteyninge in length from East to West the whole length of the Sea Coast there betweene the said two Rivers. Together with all and singular havens, harbours creekes, and Islands, imbayed and all Islands and Iletts lyinge within five leagues distance of the Maine beinge opposite and abuttinge vpon the premises or any part thereof not formerly lawfully graunted to any by speciall name And all mynes mineralls quarries, soyles and woods, marishes, rivers, waters, lakes, ffishings, hawkinge, huntinge and fflowinge and all other Royalties Jurisdiccions, priviledges, prehementes, proffitts, commodities and hereditaments whatsoever with all and singular there and euery of theire appurtenentes. And together alsoe with all Rents reserued and the benefitt of all proffitts due to them the said Counsell and their Successors and precincts aforesaid to be exercised and executed accordinge to the Lawes of England as neere as may be by the said William Lord Alexander his heires or assignes or his or theire

Deputies Lieutenants, Judges, Stewards, or officers therevnto by him or them or their assigns deputed or appointed from time to time with all other priviledges, franchises, liberties, immunities, escheates, and casualties thereof arriseing or which shall or may hereafter arise within the said limitte and precincts, with all their intrest right title claime and demand whatsoever, which the said Councell and there successors, now of right have or ought to have or claime or may haue or acquire hereafter in or to the said portion of Lands or Islands, or any the premises and in as free ample large and beneficiall manner to all intents constructions and purposes what so euer as the said Councell by vertue of his Ma^{ties} said Letters Patent may or can graunt the same: Saucing and allwayes reseruinge vnto the said Councell and there Successors power to receaue heare and determine all and singular appeale and appeales of euery person and persons whatsoever dwellinge or inhabitinge within the said Territories and Islands or any part thereof soe graunted as aforesaid of and from all judgements and sentences whatsoever given within the said lands and Territories aforesaid To haue and to holde all and singular the lands and premises aboue by theis presents graunted (excepte before excepted) with all and all manner of profitts commodities and hereditaments whatsoever within the lands and precincts aforesaid to the said lands, Islands and premises or any of them in any wise belonginge or apperteyninge vnto the said William Lord Alexander his heires and assigns To the only proper use and behoofe of him the said William Lord Alexander his heires and assigns for euer To be holden of the said Councell and their successors, per *Gladium Comitatus*, that is to say by findeinge foure able men conveniently armed and arrayed for the warre to attend vpon the Governor of New England for the publique seruice within flourtene dayes after any warninge given; yieldinge and payinge vnto the said Councell and their Successors for euer one fift part of all the are of the mynes of gold and silver which shalbe had possessed or obteyned within the limitte or precincts aforesaid for all rents seruices dueties and demands whatsoever due vnto the said Councell and their successors from plantacion within the precincts aforesaid The same to be deliuered vnto his Ma^{ties} Receiver or deputie or deputies Assignes to the use of his Ma^{ties} his heires and successors from the Lands precincts and Territories of New England aforesaid the two and twentie day of [Aprill 1635] and 11th year of the Raigne.

ANENT KNIGHTING OF BARONNETS SONNES.

1636.
June 16.

Apud Edinburgh 16 Junij 1636.

Forsamekle as the Kings Majestie having formerlie upon verie good considera-

tions both for freithing his Ma^{tie} frome truble and saving of the parties whome it concernes frome charges Give warrand and direction to his Ma^{ties} Chancellor for the time being That the eldest sonnes of all Baronnetts being of the age of 21 yeeres should be knighted whensoever they should desire the same according to thair patents under the Great Seale And his Ma^{tie} being yett willing upon the same considerations that the said course be continued His Majestie for this effect hes gevin warrand to the Lord High Chancellor of this kingdome to knight the eldest sonnes of all and everie one of suche Baronnetts who being of the perfyte age of 21 years compleit shall desire the same without putting thame to anie charges and expensses As in the said warrant presentit and exhibite this day before the Lords of Secreit Counsell at lenth is conteanit Quhilk being read heard and considerit be the saids Lords and thay with all humble and dewtifull respect acknowledging his Majesteis gracious will and pleasure in this mater They ordaine the said warrant to be insert and registrat in the bookes of Priue Counsell and to haue the force of ane act of Counsell in time comming To the end the said Lord Chancellor may knight the saids eldest sonnes of all Baronnetts without forder warrand and that all whome it may concerne may take notice of his Majesteis Royall pleasure heerin and ordanis letters to be direct to make publication heirof wherthrow nane pretend ignorance of the same.

Followes His Majesteis missive for warrand of the Act foresaid.

1636.
May 10.

CHARLES R.

Right Reverend Father in God We greit you weill Whereas We wer pleased by our letter unto our lait Chancellor to give power unto him or anie other for the time being that the eldest sonnes of all Baronnetts might be knighted being of the perfyte age of 21 yeeres whensoever they should desire the same according to thair patents under our Great Seale both for freing Ws from trouble and saving thame frome charges whiche thair repairing hither for that purpose might procure and now being willing upon the like consideration that the same should be continued We have thought fitt heirby to renew our pleasure unto yow for that effect and thairfoir We will that yow knight the eldest sonnes of all and euerie one of suche Baronnetts who being of the perfyte age of twenty-one yeeres should desire the same, without putting thame to anie charges or expensses And Our further pleasure is that yow make ane Act of Counsell heirupon That your successors in your charge of Lord Chancellor doe the same without anie further warrand and that all others whome it may concerne may tak notice of our Royall pleasure heerin for doing whair of these presents shall be your warrand We bid you farewell Frome our Courte at Whitehall, the 10 of Maye 1636.



Sir William Alexander
to my Lord Viscount of Stormonth.

I am to be my love good Sir
as I have many things to be doing
to you, so, I have dealt earnestly
in the matter of my affairs for you as you
may perhaps be by the latter of which I send
forwards for I have to express what for
either by effect or by profession
I think my self to be much obliged to you
to favour in making your duty for William
graciously received but it is like to do me
a great deal of harm if you do not
it not by other means some of the business
of life to come after you, or by means
from to the public into some of the business
I have the matter then all not come in
a time I express this to you to be perfect
and be assured that in time I may that
may tend to your good there is no man
with a true affection more thankful for
than I am

— your friend B

W. Alexander

23 of November

W. Alexander

In the preceding documents it will be seen that Sir William Alexander was nominated His Majesty's Lieutenant-General, and Admiral of New Scotland. The great importance of such an appointment, with the view of successfully promoting this scheme of colonization, was not duly considered, as no obligation was exacted for personal services in the colony; and there is no evidence to shew that Alexander himself ever set his foot on the soil. When we hear so much said of his advancing large sums in setting forth this scheme, it should be remembered that he was bound to expend two-thirds of the money received from the newly created Knight Baronets in carrying on the Plantation. We know that he fitted out two vessels in 1622 and 1623, and also that his son Sir William the younger sailed with other vessels in 1627 and 1628; yet it may be asserted, that from various causes SIR WILLIAM NEVER WAS ABLE TO FULFIL THE GREAT AND AVOWED OBJECT OF THE ROYAL GRANTS IN HIS FAVOUR BY ACTUALLY ESTABLISHING ANY PERMANENT SETTLEMENT WHATEVER IN NOVA SCOTIA. In his engraved map of 1624, and reissued in 1630, there is no indication of any such settlements in that country, while so many English names appear in the adjoining districts of New England. Had any effectual measures been employed, the majority of the Convention of Estates in November 1625 would never have supported the lesser Barons when they complained of the precedency granted to the newly created Order of Knight Baronets, and prayed the Estates to join in a humble petition to the King to suspend at least this precedency *until the tyme that the Plantatioun, for the whilk this dignitie is conferred, be first performed*. These small Barons went still farther, and offered that *if this Plantatioun should be made*, they, "upoun their own charges, would undertake the same, without any retribution of honour to be given therefor."¹

In the measures actually pursued, Sir William Alexander appointed his eldest son to act as Deputy-Lieutenant; and he appears on two, or perhaps three, occasions to have visited some portions of North America. The first occasion was in 1627, as we may infer from this

¹ See *supra*, pp. 29-31; also the King's reply in February following, pp. 31-32.

entry in the Kirk-session Register of Stirling:—"1627, December 25.—The whilk day Sir William Alexander, *after his return from his sea voyage*, gave to the poor of Stirling fifty-aucht pounds money."¹ Either in 1628 or the following year Sir William Alexander younger had made a second voyage, as the King, in writing to the Privy Council, 17th November 1629, mentions him as being "now resident in Nova Scotia;"² and the King addressed to him a letter while at Port Royal, on the 13th May 1630,³ where he and his attendants had effected a settlement, as will be afterwards noticed.

In the Roll of Knight Baronets of Nova Scotia the first name is Sir Robert Gordon. He was the second son of Alexander, Earl of Sutherland, and was the founder of the family of Gordonstoun, in Morayshire. His charter of the Barony of Gordon is recorded in the Register of the Great Seal, 28th May 1625,⁴ and is given at full length in Douglas's Baronage of Scotland.⁵ In a work which has recently appeared, "Social Life in Former Days: Second Series. Illustrated by Letters and Family Papers," the author has a chapter on "The Plantation of Nova Scotia, and the Knight Baronets thereof, 1625,"⁶ in which he inserts from the Gordonstoun papers copies of some contracts or bonds of agreement with Sir William Alexander, connected with this subject. The price paid for a baronetcy, it appears, was 3000 merks, two-thirds of which Sir William engaged should be expended "in setting forth a colonie of men, furnished with necessarie provisioun, to be planted by me, my aires, or our deputies, within the said country (and dominion of New Scotland) be the advyse of the said Sir Robert Gordon and the remanent Barronetts of Scotland, adventurers in the plantation of the same," dated at London the 4th of June 1625. This is followed by a similar engagement, on the last of the month, in the name of Sir Donald Gorme of Slait, knight.

In the Scottish records no notice is taken of a fact, which seems to be undisputed, although the details are not clearly ascertained, that Sir William Alexander, by some private arrangements in the year 1629 or

¹ That is, £2, 18s. sterling. (Extracts in Miscellany of the Maitland Club, vol. i., p. 467.)

² Supra, p. 49.

³ Supra, p. 56.

⁴ Lib. II., No. 34.

⁵ Edinb., 1798, p. 2.

⁶ By E. Dunbar Dunbar, pp. 8-21, Edinb., 1864, 8vo.

1630, transferred to Claude St Estienne, Seigneur de La Tour, a French Huguenot, the whole of his territorial rights and possessions of Nova Scotia, still to remain subject to the Crown of Scotland. From this bargain a special exception was made of Port Royal. The name of Claude, and of his son Charles, both occur in the List of Baronets, November 30, 1629, and May 12, 1630. La Tour was of a temporising spirit, and changing his religion, he succeeded in having his acquisitions confirmed by the King of France in 1634. This may have given rise to Scotstarvet's vague report that Sir William "got also a large sum of money from the King of France to quit his interest in Nova Scotia." Sir Thomas Urquhart is more entitled to credit when he alleges, that this transaction was completed without Sir William having either informed or obtained the concurrence of the Knight Baronets, who undoubtedly possessed by their several charters the same territorial rights as himself.

After this period, at least, we hear but little of Nova Scotia and of Alexander's colonial schemes, except in general terms, and always connected with urgent endeavours to fill up the prescribed number of Baronets. In a subsequent page will be given a roll of the names of Baronets of Nova Scotia, as they appear in the public records. During the Earl of Stirling's time the dates of these Patents extend from May 28, 1625 to December 17, 1638, to the number of about one hundred and thirteen individuals.

The following passage from Sir Thomas Urquhart's Jewel (pp. 208-211, Lond. 1652), although well known, may be quoted, as it contains, with some rash, but amusing statements, a good deal of truth relating to this subject :

"SIR WILLIAM ALEXANDER.—It did not satisfie his ambition to have a laurel from the Muses, and be esteemed a King amongst Poets, but he must be King of some New-found-land; and like another Alexander indeed, searching after new worlds, have the sovereignty of *Nova Scotia*. He was born a Poet, and aimed to be a King; therefore would he have his royal title from King James, who was born a King, and aimed to be a Poet. Had he stopped there, it had been well: but the flame of his honour must have some oyle wherewith to nourish it. Like another King Arthur, he must have his Knights, though nothing limited to so small a number; for how many soever that could have looked out but for one day like gentlemen, and given him but one hundred and fifty pounds sterlin, . . . they had a scale from him whereby to ascend unto the platformes of vertue, &c. . . .

they immediately hung out the Orange colours, to testify their conquest of the honour of Knight-Baronet.

" Their King nevertheless, not to staine his Royal dignity, or to seem to merit the imputation of selling honor to his subjects, did for their money give them land, and that in so ample a measure, that every one of his Knight-Baronets had for his hundred and fifty pounds sterlin heritably disposed unto him six thousand good and sufficient acres of *Nova Scotia* ground, which being but at the rate of sixpence an acre, could not be thought very dear, considering how prettily in the respective parchments of disposition they were bounded and designed fruitful corneland, watered with pleasant rivers, running amongst most excellent and spacious meadows; nor did there want abundance of oaken groves in the midst of very fertile plains (for if they wanted anything, it was the Scrivener or Writer's fault; for he gave order, as soon as he received the three thousand Scots marks, that there should be no defect of quantity or quality, in measure or goodness of land) and here and there most delicious gardens and orchards, with whatever else could in matter of delightful ground, best content their fancies; as if they had made purchase amongst them of the *Elysian fields*; or *Mahumets Paradise*.

" After this manner my Lord Sterlin for a while was very noble, and according to the rate of Sterlin money, was as twelve other Lordes in the matter of that frankness of disposition, which not permitting him to dodge it upon inches and ells, better and worse, made him not stand to give to each of his champions territories of the best and the most: and although there should have happened a thousand acres more to be put in the Charter or writing of disposition, then was agreed upon at first, he cared not; half a piece to the Clerk was able to make him dispense with that. But at last, when he had inrolled some two or three hundred knights, who, for their hundred and fifty pieces each, had purchased amongst them several millions of *New Caledonian Acres*, confirmed to them and theirs for ever, under the great seal, the affixing whereof was to cost each of them but thirty pieces more, finding that the society was not like to become any more numerous, and that the ancient gentry of Scotland esteemed of such a whimsical dignity as of a disparagement rather than addition to their former honor, he bethought himself of a course more profitable for himself, and the future establishment of his own state; in prosecuting whereof, without the advice of his Knights (who represented both his Houses of Parliament, Clergy and all) like an absolute King indeed, disposed heritably to the French, for a matter of five or six thousand pounds English money both the dominion and propriety of the whole continent of that kingdom of *Nova Scotia*, leaving the new Baronets to search for land amongst the Selenits in the Moon, or turn Knights of the Sun: so dearly have they bought their Orange Riban, which (all circumstances considered) is and will be no more honorable to them or their posterity, then it is or hath been profitable to either."

No part of the American continent was more favourable for an English settlement, and the encouragement of the fisheries, than Nova Scotia; but no settlement has been more subject to be disputed, or has so often changed its master. An attempt had been made in 1602 to settle an English colony here; but this not succeeding, the French, in 1604, concluding it to be abandoned, took possession of it under the title of Acadia, as forming part of New France or Canada.

Henry the Fourth of France in 1603 had appointed Mons. de Monts Governor-general of the country, extending between the 40th and 46th degrees of north latitude,—that is, from Virginia to near the head of Hudson's Bay,—which then obtained the name of Acadie. De Monts was accompanied in his voyage of discovery by a personal friend, Poutrincourt, who received from him a grant of that part of the district where they found the large and spacious harbour near the Bay of Fundy, then called *La baye François*, and to which he gave the name of Port Royal. The King of France afterwards confirmed to Poutrincourt this grant, and the place became the headquarters of the French colonists. In 1613, on the ground of some alleged encroachment on the English limits of Virginia, Captain Argall, with some armed vessels, succeeded in obtaining possession of the fort, and dislodging the French. But, as Judge Haliburton observes, "it does not appear that this transaction was either approved of by the Court of England or resented by the Crown of France." Port Royal, since named as Annapolis Royal, in Nova Scotia, is situated on the south side of the bay and river of Annapolis, which runs into the Bay of Fundy; and except for the extraordinary rise and fall of the tides, was reckoned one of the finest harbours in the world. Unless it may have been by some of the first settlers and other stragglers, the place remained deserted for several years. No reference to these proceedings occur in the Nova Scotia grants made to Sir William Alexander, who was authorized to divide the country into portions, and assign them to the Knight Baronets on the conditions prescribed. But this was still a disputed territory, which the French claimed in virtue of previous discovery and possession. After various changes, Charles the First,

instigated probably by Sir William Alexander, had given a commission to Captain David Kertch or Kirk, a French Calvinist, for the recovery to England of the possession of Nova Scotia. Having fitted out an armament for that purpose in 1627, he captured 18 French transports, with 135 pieces of ordnance, destined for the fortifications of Port Royal and Quebec. Next year he had retaken Port Royal, and proceeded up the river St Lawrence to attack Quebec, the capital of New France; but the lateness of the season caused him to defer this till 1629, when it was forced to capitulate. In this manner the English regained possession of Nova Scotia, Port Royal, and most part of Canada.

It was at this time that Sir William Alexander the younger, and those who accompanied him, landed at Port Royal, and succeeded in effecting a straggling settlement in that locality. They built a fort on the west side of the haven (Granville), nearly opposite to Goat Island, the remains of which are still visible, and retain the name of the Scottish Fort. But the successes of Captain Kirk proved of no avail, in consequence of the negotiations between Charles the First and his brother-in-law the King of France. During the first winter thirty of the Scots settlers died, and the hopeless expense and numerous difficulties connected with this infant colony induced the younger Sir William Alexander to return home, and must have had no small influence on the elder Sir William in his negotiations with Claude de La Tour, by which he conveyed to him his title to the whole of Nova Scotia (with the exception of Port Royal) to be held of the Crown of Scotland. The precise terms of this transference are not recorded. It is alleged by Chalmers, and repeated by Haliburton and others, that Sir William Alexander, finding that neither considerable profit nor honour were soon or easily to be acquired from the further prosecution of this colonial undertaking, in the year 1630 conveyed his title to the whole of Nova Scotia (with the above exception) to Claude St Estienne, Seigneur de la Tour, upon this condition, that the inhabitants should continue to be subjects of the Scottish Crown. It is also said that La Tour had influence enough to have this transference confirmed by Louis XIII.; and this may have given rise to Sir John

Scot's unfounded assertion¹ that Lord Stirling "got also a great sum of money from the King of France to quit his interest in Nova Scotia." Sir Thomas Urquhart's statement on the same head is already quoted.²

By the Treaty of St Germain-en-laye, concluded in March 1632,³ the English monarch absolutely restored to Louis XIII. of France the sovereignty of Acadia, New France, and Canada generally, and without limits,—and particularly Port Royal, Quebec, and Cape Breton. In terms of this treaty, Charles sent peremptory instructions for the settlers at Port Royal to dispossess themselves, and transfer the place to the French authorities; but instead of stipulating that a sum should be awarded for what had been spent on the fort and other buildings erected in this place, these were ordered to be razed to the ground and the place left desolate, as when first occupied by Sir William Alexander younger and his followers. The King, however, in compensation for the money and labour that had been expended, and for the hardships they had to suffer in quitting this settlement, gave a warrant to pay the Viscount Stirling the sum of £10,000.

The site of this fort is well ascertained, and a stone having the date 1606 indicates the earlier French settlement, the fort having been erected by the Scottish settlers on the site of the French corn-fields previous to the treaty of St Germain. "The remains of this fort," says Judge Haliburton, "may be traced with great ease; the old parade, the embankment and ditch, have not been disturbed, and preserve their original form. It was occupied by the French for many years after the peace of 1632, and near the eastern parapet a large stone has been found, with the following monumental inscription, LEBEL, 1643."⁴

"The French" (says Chalmers) "gloried at a future day, not that they had recovered without consideration what the bravery of Englishmen had won, but that, in these transactions, the name of Nova-Scotia did not appear. Colonial historians, with an inattention or interestedness of which there are few examples, have always insisted, that, not-

¹ Staggering State, p. 74. ² *Supra*, pp. 95, 96. ³ Corps Diplomatique, Rymer's *Fœdera*, &c.

⁴ An Historical and Statistical Account of Nova Scotia, by Thomas C. Haliburton, vol. ii., p. 156, Halifax, 1829, 2 vols., 8vo.

withstanding the absolute restitution before mentioned, certain rights, with regard to that territory, still remained in England: And her statesmen, with a credulity and want of wisdom equally unexampled, have implicitly adopted their sentiments. But in what consists the justice or policy of preserving latent pretensions, which cannot be defended by candid discussion? The law of nations reprobates whatsoever contributes to disturb their repose."¹

A later author of a valuable work on British America says, that the vast importance of such possessions "should be estimated less by their territorial extent than by the resources they offer, the capabilities of improvement, the great increase of which their commerce is susceptible, and the extensive field they present for emigration."²

But the connexion of the Alexanders with North America extended beyond the boundaries of Nova Scotia. At a later period, when New Scotland, so far as they were concerned, might be said to have ceased to exist, William Lord Alexander obtained from the Council for New England one of those indistinct or conflicting grants of land, which had become so common; in other words, which "were couched in vague language, and were made in hasty succession, without deliberation on the part of the Council of Plymouth, and without any firm purpose of establishing colonies on the part of those for whose benefit they were issued."³ It consisted of the Province of Maine, or that part of the mainland of New England extending from Piscataqua River, adjoining New Scotland, along the sea-coast to Sagadahoc, and up the river to Kenebek, to be called the country of Canada; also Long Island, &c. The date was April 1635.⁴

The Colonial Papers, now rendered accessible, throw some light on such transactions, having reference to extensive districts of which the proper boundaries were not strictly defined, and which proved, as might be expected, a fruitful source of dispute. Towards the end of January 1635

¹ Chalmers' Political Annals, p. 93, Lond., 1780, 4to, a work containing an immense mass of information. It is to be regretted that no second volume (with an index) ever appeared.

² The British Dominions in North America, by Joseph Bouchette, vol. I., p. vii.

³ Bancroft's United States, vol. I., p. 335.

⁴ See page 89.

the Earl of Stirling and his son Lord Alexander were admitted Councillors and Patentees. On the 3d of February it was proposed, upon obtaining separate personal grants of the lands, laid out in eight divisions, upon the sea-coast of New England, to be held immediately of his Majesty, to resign their great patent into the King's hands. Preliminary to this, deeds of feoffment were made, and leases drawn out in their own favour for the term of three thousand years (which sounds very like perpetuity) in virtue of the original charter to the patentees, adventurers and Council of New England.

At a meeting of the Council for New England, held in the Earl of Carlisle's chamber, Whitehall, 25th April 1635, a declaration was prepared for the intended resignation of their great charter. "*Present*,—Lord Gorges, President; Capt. Mason, Vice-President; Marquis of Hamilton; Earls of Arundel and Surrey, Southampton, Lindsey, Carlisle, Sterling; Lords Maltravers, Alexander; Sirs Ferdinando Gorges, Kenelm Digby, Robert Mansel, Henry Spilman, James Bagg, and Mr Montague. They have found, by long experience, that their endeavours to advance the plantation of New England have been attended with frequent troubles and great charges; that they have been deprived of near friends and faithful servants employed in that work; assaulted with sharp litigious questions before the Privy Council by the Virginia Company, who complained to Parliament that their plantation was a grievance to the Commonwealth, and that they have been much disheartened by the loss of the 'most noble and principal props thereof,' as the Duke of Lenox, Marquis of Hamilton, and many other 'strong stays to this weak building;' and also by the claims of the French Ambassador, taking advantage of the divisions of the sea-coast, which have been satisfactorily answered. These crosses only left a 'carcass in a manner breathless,' until some lands in Massachussets Bay were granted to certain persons, who surreptitiously obtained a second grant of lands justly passed to Captain Robert Gorges and others long before."¹

Accordingly, on the 25th of April that year, when this declaration was adopted, Edward Lord Gorges, President, in name of himself and other members of the Council of New England, presented a

¹ Calendar of State Papers, Colonial, 1574-1660, pp. 204-205.

petition to Charles the First, on the 1st of May, respecting a voluntary surrender of the great patent of their Corporation, and praying for a royal confirmation of the proposed division of the saids lands. These arrangements seem to have been favourably received, and were probably carried into effect. The new patents were designedly extended both north and south, for the purpose of keeping up the English claims to New Netherlands in possession of the Dutch, to the southward, and to l'Acadie or Nova Scotia, then in possession of the French, to the northward.

On the 1st of November 1638 a meeting of the late Council for New England was held at London in Lord Stirling's house. The object of this meeting was to request the King for an augmentation of a degree more in latitude and longitude to such of themselves who should declare whether they would have it to the northward or westward,—these Councillors being Lord Maltravers, Lord Gorges, Sir Ferdinando Gorges, and the Earl of Stirling.¹

It has been remarked by an old and intelligent writer that "Royal grants of lands if not occupied, and, in process of time, if another grant (with occupancy) is made to others, the first grant becomes void. Thus Duke Hamilton's grant in the Naraganset country, Mr Mason's grant of New Hampshire, and many grants in the north-east parts of New England, are become void."² The obsolete grants to Sir William Alexander of Nova Scotia, as well as to his son of lands in New England, might have been specified in the instances of original holders who had neglected or relinquished their territorial acquirements.

Having in some measure traced the progress and termination of the Earl of Stirling's Colonial schemes, a brief notice may be given of the latter period of his life. He was sworn a privy counsellor, and appointed Secretary of State for Scotland in 1626. He was created Viscount of Stirling, Lord Alexander of Tullibody, 4th September 1630; he was admitted an extraordinary Lord of Session in 1631; and raised to the Earldom in 1633. He obtained at various times from the King several grants, which, although they promised to be lucrative, proved to be

¹ Colonial Papers, Calendar, p. 282.

² Douglass, vol. i. p. 111. See also pp. 366, 373.

otherwise. One was a license under the Privy Seal for the space of thirty-one years to print "The Psalms of King David, translated by King James," 28th December 1627. This metrical version, published in the King's name, was to a great extent the work of Sir William Alexander. It was not completed or published until the year 1636; but the expectation of having it introduced into general use, so as to supersede the old version of Sternhold and others, which would have insured its circulation to an incalculable extent, and been a lucrative speculation, proved a complete failure.¹ Another grant to Lord Stirling was to authorize the coinage of 6000 stoness weight of an inferior kind of copper money. Sir John Scot, when he alludes to this permission to coin base money, far under the value of the weight of copper, says, that "this brought great prejudice to the kingdom,"² and rendered him so unpopular that it was said he durst not come to Scotland to attend to the King's affairs. In April 1631 he had a patent under the Privy Seal,³ "granted be his Majestie to William, Earle of Stirline, and John Alexander, his sone, and the longer liver of thame twa, to be maisters of all mineralls and metals within this kingdom." The embarrassed state of the Earl's affairs at the time of his decease is sufficient to prove that with all his schemes and speculations he had not succeeded in the ultimate object of acquiring wealth. "He conquest to his old heritage of Menstrie, the baronie of Tillicultrie and Gogar,—all which were comprised from his heirs instantly after his decease: And of six or seven sons none but one or two are remaining. The house of Menstrie was burnt by command of his superior the Earl of Argyle, because his sons were favourers of James Graham (Marquess of Montrose) and his party."⁴ If so, this must have been four years after the Earl of Stirling's death. In 1632 Lord Stirling had erected a larger edifice for himself, beautifully situated, with terrace walks, at the head of the Castle Wynd in Stirling. After his death this was also seized by his creditors. It became the property of the Marquess of Argyle, who caused the Earl's armorial bearings and other ornaments to be

¹ See Bannatyne Miscellany, vol. i., p. 227-250, and Appendix to Baillie's Letters and Journals, vol. iii., pp. 525-532.

² Sir John Scot's Staggering State. ³ Regist. Secret. Concilii. ⁴ Scot's Staggering State.

taken down, and replaced with those of his own family.¹ It was long known as Argyll's Lodging, but has in late years been converted into a military hospital for the garrison.

The Earl of Stirling died at London in February 1640. By his wife, Janet Erskine, daughter of Sir William Erskine, Knight, he had a large family of seven sons and three daughters. Sir James Balfour says,—“His body was embalmed, and by sea transported to Streveling, and there privately interr'd by night in Bowie's Iyle [aisle], in Streveling Church, the 12th of Apryle 1640.”² His patent as Earl in 1633 carries the title to himself and his heirs-male bearing the surname and arms of Alexander. His two eldest sons having predeceased him, it was alleged, with the view of supporting some false claims to succession, that the Earl, fearing the extinction of his male issue, resigned his honours in the King's hands, for the purpose of obtaining a new charter, changing the destination, failing heirs-male, in favour of heirs-female. But such resignation is a mere assumption, without a particle of evidence; and the alleged charter of Novodamus never existed except as a forged document.

It is not required in a volume like the present to trace in minute genealogical detail the descendants of William, Earl of Stirling. It is admitted on all hands, and we presume the matter was well ascertained at the time, that the male succession terminated in the person of Henry, fifth Earl of Stirling, who died at London on the 4th of December 1739.

WILLIAM ALEXANDER, the eldest son, was knighted, and, as presumptive heir of the Viscount and Earl of Stirling, he himself became Lord Alexander in 1630, and Viscount Canada in 1633. From the previous pages it will be seen that on more than one occasion he visited Nova Scotia, and resided for some time in the colony as Deputy-Lieutenant. He afterwards received an extensive grant of territory from the Council for New England on April 1635, as already noticed at page 89. He died during his father's life at London in March 1638, and his body was embalmed and brought to Scotland for interment in the church of Stirling. By his wife, Lady Margaret,

¹ An excellent view of the house will be found in Billings's *Antiq.*, vol. iv.

² Balfour's *Hist. Works*, vol. ii., p. 427.

daughter of William, Marquess of Douglas, he left one son, William, and two daughters. The lady survived till January 1, 1660.

WILLIAM, second Earl of Stirling, succeeded his grandfather in 1640, when about eight years of age, but he died that year, within a few months of his succession. Both his sisters were married, and their descendants are not extinct.

SIR ANTHONY ALEXANDER, the Earl of Stirling's second son, in July 1626 had a pass allowing him to travel for three years in foreign parts.¹ On the 1st April 1629 he was joined with James Murray of Kilbaberton (who had held the office since 26th December 1607), as joint Master of the King's Works and Buildings in Scotland. He married a daughter of Sir Henry Wardlaw of Pitreavie, but died at London, without issue, in August 1637, and was interred in the family vault in the church of Stirling. Drummond of Hawthornden honoured his memory in a poem of great beauty: "To the Exequies of the Honorable Sr. Antonye Alexander, Knight, &c., A Pastorall Elegie." Edinb., 1638, 4to. Sir James Balfour says,—“About the latter end of August (1637) Sir Anthony Alexander, knight, second son of William, Earl of Stirling, and Master of Works, &c., departed this lyffe at London, from whence his corps, being embalmed, was brought by sea, and, by torchlight, privatly interred in Bowes Iyle, in the church of Striveling.”²

HENRY ALEXANDER, the third son, on the death of his nephew, succeeded as third Earl of Stirling in 1640; but he did not long enjoy his honours, having died about August 1644. By his wife, Mary, daughter of a wealthy London merchant, Sir Peter Vanlore, he had a son Henry, the fourth Earl of Stirling, who survived till 1690, and two daughters, Mary and Jane Alexanders. His widow, the Countess of Stirling, married for her second husband Colonel John Blount, who, after the Restoration of Charles II., presented a memorial respecting the claim, which is added on a subsequent page.

JOHN ALEXANDER, of Over Gogar, the fourth son. He married a daughter of Sir John Graham of Gartmore, leaving one daughter.

CHARLES ALEXANDER, the fifth son. He was witness in December

¹ Sir W. Alexander's Register of Letters.

² Balfour's Hist. Works, vol. ii., p. 251.

1642 to the testament of his sister Lady Elizabeth Alexander. He is said to have left a son, who died without issue.

MR LUDOVICK ALEXANDER, the sixth son, had a pass to go to France in December 1634. He died without issue.

JAMES ALEXANDER, the seventh son, was a witness to his sister Lady Elizabeth's testament in December 1642. James Alexander and Grissell Hay had a daughter, Margaret, born 23d June 1669.

The place or vault where the Earl of Stirling and so many of his family were interred was in the Cross Kirk or High Church of Stirling. From its former proprietor it had been known as Bowye's Isle, but belonged to Thomas Craigengelt of that ilk, who, on the 26th February 1618, "resigned his right to that Ile in the Rude Kirk of Stirling, callit of auld the Bowey's Ile, and now Craigengeltis." The Kirk-session, on the 4th October 1631, granted the seat or loft within the said Kirk of Stirling to William, Viscount of Stirling; and on the 4th September 1632 the Session ratified to his Lordship the disposition by the Maister of the Hospital (with consent of the Provost), "of their Isle, situat on the south syde of their kirk, sometyme callit Bowye's or Craigingelt's Iyle, &c."¹ In 1656, when the church was divided into two distinct places of worship, the vault may have been injured. It remained at least long neglected; and the leaden coffins, it is supposed, were abstracted by Cromwell's soldiers. The only inscription of which we have any notice was that erected by the first Countess of Stirling to the memory of her parents, Sir William and Lady Erskine. In 1825, when the assumed Earl of Stirling visited the possessions of his alleged ancestors, and was welcomed by the Provost and Magistrates, with the church bells ringing on such an auspicious event, he presented the family vault to Mr Wright, a writer in the town, who caused it to be enclosed, and appropriated, when it should be required, for his own use. This insured the complete destruction of every vestige of the Alexanders of Menstrie, including the Erskine monument, but a copy of the inscription was fortunately preserved by a local antiquary.²

¹ Extracts from Maitland Miscellany, vol. I., pp. 455, 471, 472.

² See Mr Turnbull's Preface, pp. 42-44, to his Report on the Stirling Peerage Trial; where the inscription is printed. Edinb., 1839, 8vo.

IV.—SIR ROBERT GORDON OF LOCHINVAR.

The author of the spirited proposals contained in the "Encouragements, &c. by mee, Lochinvar," in 1625, was SIR ROBERT GORDON, in Galloway. The family from which he was descended is traced back, in the Peerage, to the time of King Robert Bruce. Having at a subsequent date acquired this property in Kirkeudbright, Robert, the eldest son of Sir John Gordon of Lochinvar, was served his heir, 5th November 1604; and is described "as one of the strongest and most active men of his time." He had occasion to display his bodily power in the Border feuds between the inhabitants of Galloway and Annandale. He had the less enviable distinction of being selected, or accused, for the slaughter of James Gordon, his page, on the 29th of June 1608; but by a warrant signifying his Majesty's pleasure, signed by the Lord Chancellor, and the Secretary, George, Earl of Dunbar, "the dyet," or day fixed for his trial, was deserted.¹ Sir James Balfour, in his *Annals*, connects the murder of his servant with some scandalous reports, which he admits were unfounded, but uncharitably insinuates that Sir Robert was desirous to have got rid of his wife.² In the Court festivities at Prince Henry's Barriers (or tilting match), on the Twelfth Night, Sir Robert was one of the three successful champions to whom prizes were delivered by the Princess Elizabeth in January 1609-10. A contemporary writer indeed says that Gordon's success as a Scot was owing "more in favour of the nation, than for any due desert."³

When the proposed establishment of Colonies in America was sanctioned by the Crown, Sir Robert Gordon was among the first to embark in the scheme with a proper spirit. He obtained a Charter under the Great Seal, with ample privileges, of certain lands to be erected into the Barony of New Galloway in Nova Scotia, 8th November

¹ Pitcairn's *Criminal Trials*, vol. ii. p. 558.

² Balfour's *Hist. Works*, vol. ii. p. 20.

³ R. Johnston's *Historia*, p. 714; Nicholl's *Progresses of King James*, vol. ii. p. 283.

1621. This Charter is printed in the present volume.¹ He appears to have engaged in this undertaking with more patriotic zeal and less selfish motives than his precursor, "the Lieutenant Generall to his Majestie in the Kingdome of New Scotland," to whom he dedicates his "Encouragements," in 1625. This tract, which is now of great rarity, is highly honourable to the author, who assigns for his MOTIVES, the propagation of the Gospel among the Heathen; the service of his Prince and native Country, by enlarging its dominions; and the gain to be derived by those who should engage in such an enterprize. His OFFERS to Ministers of the Gospel, Gentlemen, and others who were inclined to become Undertakers, were most liberal and praiseworthy.

Gordon had also a similar Charter under the Great Seal of the barony and lordship of Charles's Island (*INSULA CAROLI*), dated 1st May 1626.² Four days later he obtained the pass for a ship which he was to dispatch to America.³ In the Signature to Sir Robert Gordon of Lochinvar for this Charter, he is honourably mentioned, as "being one of the first of this Nation who hath projected and undertaken *at his owne charge* to procure a forraigne Plantation."⁴

In the Acts of Privy Council, 12th July 1627, we find that Sir Robert had personally appeared before the Lords of Council, and made the following declaration in regard to prizes, then a frequent subject of dispute. But Gordon's death in November that year brought all his schemes of Colonization to a premature close.

LOCHINVAR HIS DECLARATION.

Apud Halyrudhous duodecimo Julij 1627.

The whilk day in presence of the Lords of Secreit Counsell compeirit personallie Sir Robert Gordoun of Lochinvar Knight and declairit that notwithstanding of the Commissioun grantit and exped vnto him this day for his furtherance and advancement in the Kingis Maties service against the enemye, he was content, of his awne consent, that all the prysses that sall be tane be him, or be utheris having warrant and power from him, on this syde of the Equinoctiall Lyne sall be judged

¹ Charters, &c., p. 16.—Line 10, for *desuperet* should read *desuper et*.

² Reg. Magni Sig. Lib. II. No. 126.

³ Printed supra, p. 35.

⁴ Register of Signatures, &c., vol. xlix. July 8, 1626.

in no countrie but in this kingdome be the Admirall of this kingdome, and that he sall make payment to the Kingis Ma^{tie} and the Admirall of the proportion dew to thame out of the prysses And that this Declaratioun and Act sall stand in force so long as his Commissioun stands, and ay and whill he give up the same to the saidis Lords.

Dr Robert Johnston, who belonged to that part of the country, and was no doubt personally acquainted with Sir Robert Gordon, in mentioning his death says, "*Calculo extinctus est. Qui excelsi corporis robore, et animi magnitudine, in omni ætate conspicuus vigerat. Unde singularem gratiam apud magnanimum Principem Henricum promeruerat; solennique Armorum exercitatione, in Aula victor evaserat; ac præmium meritæ palmæ tulerat: Henricoque mortuo, fabricatis navibus, ultra Æquinoctialem Scotici nominis famam propagare destinauerat. Verum, morte ejus tam laudabilis conatus evanuit.*"¹

Sir Robert Gordon married Lady Elizabeth Ruthven,² one of the daughters of William, first Earl of Gowry; and had issue, two sons and two daughters. They were divorced about the year 1609, and she became the second wife of Sir Hugh Campbell of Loudon, first Lord Loudoun. She died in January 1617.³ The eldest son, Sir John Gordon, who seems to have taken no special share in this project of colonization, was served heir of his father 29th March 1628. He was created Viscount of Kenmore and Lord of Lochinvar, by patent, dated 8th January 1633; but he did not long enjoy his honours, having died on 12th September 1634, aged thirty-five. The second son, Robert Gordon of Gilston, was joined with his father in the Royal Charter of 1621, containing the grant of the barony of New Galloway in Nova Scotia; and he appears to have taken the most active share in this enterprise, by visiting the Colony, and superintending its affairs. He died without issue.

¹ *Rerum Britannicarum Historiæ*, Lib. xxii., p. 714. Amstel. 1655, folio.

² In the Peerages this Lady is always called Isabella. It would appear, however, from her Confirmed Testament, that her name was Elizabeth. (Paterson's *Ayrshire Families*, vol. ii. p. 306.)

³ Douglass' *Peerage*, by Wood, vol. ii. p. 147.

V.—JOHN BURNETT, ABERDEEN.

Although not specially connected with the Collections in the present volume, the following warrant "to traffique with Virginia," preserved among the Colonial Papers, may be added in illustration of the traffic, to a limited extent, which was carried on at this period from some of the ports in Scotland. Of Burnett himself we have no information.

1638.
July 2.

[CHARLES R.]

Whereas the Bearer hereof John Burnett of Aberdeene being the sole Marchant of o^r Kingdome of Scotland, that hath supplied the Plantacion of that o^r Colony of Virginia, & become o^r tenant there, hath by occasion of our late proclamation of the fourteenth of March in the thirteenth yeare of o^r reigne apprehended that some stopp or impeachment of his trade into Scotland may be made by o^r officers there in regard of o^r demand in the said proclamation expressed that all the Tobacco of that Plantacion should be vnloaded and brought into o^r Port of London, whereas the same is only exclusive of other Ports wthin o^r Dominions of England, Ireland and Wales, and no wayes intended to impeach the freedome of commerce and traffique into o^r Kingdome of Scotland by the Natiues thereof: These are therefore to will and require you upon sight hereof to permitt vnto the said John Burnett and his factors a free commerce and traffique from o^r kingdome of Scotland to that o^r Colony, and from thence back againe, as well to importe and v^rloade any Marchandize in any port or haven of the said Colony, as likewise to loade and exporte Tobacco or any other Marchandize from thence into any port or ports of o^r said Kingdome, And that without any stop or hindrance or impeachment from you or any other o^r officers or louing subjects as ye or they will answer the contrarey at your perill providing alweys that they pay o^r usuall customes, and enter into bond that he shal not vnload any where other than in the ports of o^r Kingdome of Scotland, and at every returne show good Certificates of soe doing before the said Bonds to be released. And for his better security in the premisses it is o^r pleasure that this o^r warrant be by you putt vpon public record. Given under o^r hande and seale att o^r Courte att Greenwich the second day of July in the fourteenth yeare of our reigne.

To o^r Trusty and Wellbeloued the Govern^r of o^r Colony of Virginia or any other o^r officers that are for the present or that shall be hereafter, whome it may concerne.

VI.—NOVA SCOTIA PAPERS SUBSEQUENT TO THE
YEAR 1640.

The following papers are added, with no design of tracing the history of Nova Scotia subsequent to the death of the Earl of Stirling, but simply as throwing some light on transactions with which he had been connected. The name of New Scotland no longer appearing in our Parliamentary or Privy Seal Records; but Acadia and Nova Scotia continued to be mixed up in the contests between the French and English settlers. Perhaps no clearer account is to be found of this period of its history than is given by a late popular writer, Judge Haliburton, in his work entitled, "An Historical and Statistical Account of Nova-Scotia," 1829. Sir Charles St Estienne, or Stephen de La Tour, son and heir of Claude de La Tour, having proved his right to the proprietary of this country by virtue of his father's purchase from Sir William Alexander in 1630, and the subsequent confirmation of his title by the French King, in the fresh disputes which arose after the country was once more regained by the English, the Protector adjudged these lands to La Tour, and granted a charter in his favour, along with Sir Thomas Temple and William Crowne, of the territory under the designation of Acadia, and part of the country commonly called Nova Scotia, extending south-westward to the river St George.

Dr William Douglass, author of "A Summary, Historical and Political, of British Settlements in North America," has a chapter on Nova Scotia or L'Accadie, in which he says,—“Hitherto, it cannot be called a Colony; it is only an impotent British garrison in an ill-regulated French settlement.” He adds,—

“There have been many revolutions in the property and dominion of Nova Scotia.

“1. Anno 1627 and anno 1628, Sir David Kirk and associates, upon a private adventure, but by commission from the King or Crown of

England, conquered the French settlements in Canada and Nova Scotia; and patents were obtained from the Court of England, by which the lands called Canada, north of the river St Laurence were granted to Sir David Kirk, and the lands called Nova Scotia south of the said river were confirmed to Sir William Alexander.

"2. Sir William sold the property to M. Claude de la Tour d'Aunay, a French Protestant, and anno 1632, March 29, by treaty King Charles quit-claim'd it to France.

"3. Cromwell sent Col. Sedgwick; he reduced it anno 1654, and it was confirmed to England by treaty in the year following; M. St Estienne, son and heir of the above Claude de la Tour, came to England, made out his claim, and had the property surrendered to him; this La Tour sold the property to Sir Thomas Temple, who was governor and in possession of the property until anno 1662; it was then delivered up to the French by King Charles II. (that race ought to be called sons of France, not sons of Great Britain) who agreed with the Temples for a sum of 10,000*l.* sterl. to be paid them (but it never was satisfied) upon account of their right.

"Menival was appointed Governor, and built a small stockaded fort, called Port-Royal, upon a bason, nine miles from the bay of Fundy; Nova Scotia was confirmed to the French by the Breda treaty, anno 1667, in the manner of a quit-claim. La Tour, a French Protestant, upon his returning to the Roman Catholic way of worship, had it confirmed (as to property) to him by the Court of France. La Tour in the various vicissitudes, was Protestant when the country was under the dominion of England, and Roman Catholic when it was subject to the King of France."¹

In the successive changes that took place, when Nova Scotia, Canada, and the islands on their coasts, had been ceded to France, and afterwards regained by the English, the name of New Scotland never appears; and it is certain that no claims were preferred, nor any reservations made of rights of superiority supposed to be inherited by the Earl of Stir-

¹ A Summary, Historical and Political, of the First Planting, Progressive Improvements, and Present State of the British Settlements in North America. By William Douglass, M.D., vol. I., p. 306. Boston, 1755; London, reprinted 1755, 2 vols., 8vo

ling's representatives; and, in fact, Henry fourth Earl of Stirling, in his Case submitted to Charles the Second in the year 1660, became an applicant for a continuation of the former grant of Nova Scotia, being in the King's hands, or for payment of the £10,000, also claimed for his Sisters; but neither of them seem to have been successful.¹

When Major-General Robert Sedgwick, as Lieutenant to the Lord Protector in 1654, took possession of these territories, Cromwell never contemplated restoring the conquered countries to the French, while negotiating the peace of Westphalia. Sir Charles St Estienne, having succeeded his father, presented a memorial setting forth his claims in virtue of the purchase from Sir William Alexander by his father Claude de La Tour. His rights were fully recognized in the following documents:—

1656. July 14.—Warrant for Articles of Agreement between Oliver, Lord Protector, and Sir Charles St Stephen, Lord Delatour, Bart. of Scotland, Thos. Temple, and Will. Crowne, to pass the Great Seal. Letters Patent to be granted on or before 10th of August next, for all those lands in America called Acadia and that part of the country called Nova Scotia, the boundaries of which are particularly described, with reservation of lands already granted to any colony in New England. Some articles or conditions are specified which it is not necessary here to recapitulate.²

1656. August 9.—Patent containing a grant to Sir Charles St Stephen, Baron Delatour, Thomas Temple, and William Crowne, of the country and territories called Laccady and Nova Scotia, with reservation of powers and privileges as in the above articles of agreement.³

A month later (20th September) La Tour is said to have made a conveyance of his rights to Temple and Crowne. Colonel Temple was not allowed to retain peaceable possession of the country, being exposed to French aggressions, as we learn from the Colonial Papers of 1658 and 1659.⁴ He, however, was in possession at the Restoration, and was one of the competing parties who endeavoured to obtain from Charles the Second either a new grant of Nova Scotia, or to be reimbursed for the heavy charges they had severally incurred.

¹ See *infra*, p. 119.

² Colonial Papers, p. 444.

³ *Ib.*, p. 447.

⁴ *Ib.*, pp. 469-478.

1660
(end of.)

EXTRACT FROM SEVERALL PROCEEDINGS RELATING TO THE TITLE TO
NOVA SCOTIA.

- Anno 1606. That Mons^r De la Tour first discover'd that country neare 60 years agoe, and built for his owne habitation on the place called S^t Johns Fort vpon the river of S^t Johns.
1621. Mons^r de la Tour comeing in to Scotland engaged S^r Will^m Alexander then Sec^y of state to King James to support his right in it, and for that end to take part of the Interest & in order thereto Sir Will^m Alexander obtained a Grant of it from K. James 1621.
1625. This grant was by K. Ch. I. confirmed to Sir Will^m Alexander (now Earle of Sterline) 1625.
1630. In the yeare 1630 the Ea. of Sterline for consideracion conveyed part of Nova Scotia to M^r De la Tour with all rights, &c. and this was confirmed vnder the Great Seale of Scotland.
1632. In the year 1632 the Earle of Sterline at the Kings perswasion did (inter alia) surrender into the hands of the French by vertew of a Treaty of that yeare, Fort Royal which was not contained in his grant to La Tour (for which surrender the K. gave the Ea. a Pr. Seale for 10,000 li. issueable out of the Realme of Scotland, which grant was neuer paid the Earle And thus the pretencions of the Earles Widdow marryed to Col^l Blount, and of the Earles heires (Daughters & Sonnes). In the Earles right come in Sir Lewis Kirke, Mr Fran. Barkly, &c. who bestowed vast sums in planting that Countrey vpon contract with the Earle & who having vpon the said Treaty surrendred their Interest to the French for 60,000 li w^{ch} was neuer satisfied by the French: Kirke and Barkly think they have a equitable pretencion in the matter.
- After the yeare 1632 the French that were in possession of Fort Royal make warre vpon La Tour at S^t John's Fort, whereby La Tour was constrained to goe to New England for succour, for obtaining of w^{ch} he mortgages his Fort of S^t Johns to Mr Gibbons but when La Tour returned to Nova Scotia he finds the French vnder one Douey had seized his Fort S^t Johns and committed severall other outrages. Of this he complains to the K. of France who disowns the action, & gives La Tour a power to seize Douey whereuer he finds him, in order to satisfaction: La Tour returning to Nova Scotia finds Douey dead, and marrying his widdow enters into possession of Port Royal which he now holds by that right.
1655. Att lengthe in 1655 Sedgwicke having a designe of attempting something in America vpon the Mannhattans, the Dutch, & the Peace with Holland having

diuerted him; turnes without order his force vpon the French in Nova Scotia seizes La Tour's Forts & brings himselfe pretencions to Cromwell. But Cromwell thought fitt to restore that Countrey to La Tour & with him (vpon Articles agreed between them) to Tho. Temple and Crowne by a Deed, 1656: And so it remained when the King returned. It may be doubted

1. In which Prince the R^t of Souerainty, and the propriety is, the King of England or the French King?
2. If in his Ma^{ty} and his subjects, then whether in Temple & Crowne, &c. by Cromwell's Grant? or which pretentions are to be allowed?
1. Kirke } for their 60,000 li, &c.
- Barkley }
2. Gibbons for his Mortgage.
3. Earle of Sterline's heires & for their 10,000 li.

TO THE RIGHT HON^{BLE} THE LORDS OF HIS MA^{TIES} MOST HONO^{RABLE} PRIVY COUNCILL
THE HUMBLE PETITION OF CHARLES S^T STEPHENS LORD DE LA TOUR BARONET OF NOVA SCOTIA, THOMAS TEMPLE, AND WILLIAM CROWNE, ESQ^{RS}.

1661.
March.

Humbly Shewing,

That whereas the Right Hon^{ble} Lord Sterlin Secretary of State to King James for the Kingdome of Scotland and one of his said Ma^{ties} Privy Councill had not only in the yeare 1621 a ffeofm^t and grant of all Nova Scotia to him his heires and assignes for ever, but also power to create Baronets there; which was confirmed by his late Ma^{ty} of blessed memory in the yeare 1625 And whereas the said Lord Sterline as well out of affection to yo^r Pet^r De la Tour's father and himselfe, as also in lieu & reconpence of their great paines and expences, Together with the hazard of their lives in adventureing first into the Wildernes among the Savages to discover the Countrey for the service of his said Ma^{ty} and the publique good and other consideration haucing settled there above 15 yeares before any grant from either of the said Kings, Was pleased to grant a part of the said bordering towards New England vnto your said Pet^{rs} father and himselfe their heires and assignes for euer, and created them Baronetts of the said Countrey as a further acknowledgement of their said service, as by the said grants more fully appeares of which said Countrey yo^r said Pet^{rs} and his Father were quietly possessed duringe the Raigne of the aforesaid Kings without any interruption, as relating vnto the Crowne of England or Scotland. But in the yeare 1654 by strength of forces of the late Cromwells vnder the command of one Major Generall Sedgwick your said Pet^{rs} was by violence forced out of possession and his goods plundred and taken away to the value of about £10,000, and was carried to the

said Cromwell where your said Pet^r waited nere a yeare before he could be heard. And then no releife without paying Cromwells Souldiers and other Debts to the value of about £5000 as by the said Articles dothe appeare. And your Pet^r Temple and Crowne's right being by purchase from your Pet^r De La Tour upon valuable consideration as by theire covenants fully appeareth, And whereas wee have been lately informed that some not knowing the true state of the right which your Pet^r have to the said Country, haue endeavoured to obtaine a grant from his now Ma^{tie} thereof Wee doe not doubt your Lo^{pps} clemency and justice but that when the evidence of your Pet^r foresaid right and title shall appeare, wee shall receive a gracious confirmation therein.

Your Pet^r humble suit to your Lo^{pps} is That in tender consideration of the premises they may be admitted to make theire said Titles appeare And that in the interem nothing may be done to theire prejudice.

And your Pet^r (as in duty bound) shall pray, &c.

(*In dorso.*) The Petition of Charles St Stephens Lord de La Tour Baronet of Nova Scotia, Thomas Temple and W^m Crowne. Received first of March 166th.
Read at Committee the 12 March 1660[1].

1660.
March.

THE STATE OF THE CASE OF COLONEL TEMPLE AS TO HIS INTEREST IN
NOVA SCOTIA.

These parts of North America called Nova Scotia or Nova Francia, and the severall p^{ts} thereof Canada & La Cadia have been continually disputed between the subjects of the 2 Crownes of England & France, sometimes the one and sometimes the other haueing possession thereof.

About 1632 they were wholly or for the moste part in the possession of the English in which yeare by treatye between the 2 Crownes dated 29th March they were all to be restored to the French and satisfaction in money was agreed to be given to some English, not ffor the said Countreys and fforts but ffor certaine shippes, goods and equipage thereof (w^{ch} some interested therein say was never performed) viz. 64,246 liuers 4 solz, trois deniers tournois pour le merchandizes du Vassieu de Jaques & 69,896 liuers neuve solz deuz deniers tournois pour les merchandizes du Vassieu le Benediction le tout temp du Roy et satisfacion pour le regard du naive Le Bride au la Espouse les Counsels.

But the French were putt in possession of the ffortes & Countreyes and the Countrey of L'Cadia (with part whereof Co^l Temple is nowe possessed) was in the

hands of Mons^r St Etienne Seigneur de La Tour, who the better to secure himself on all sides tooke a grant thereof from Sir William Alexander to whom K. James 10th September 1621 granted a pattent thereof and alsoe from the Frenche Kinge) And built St Johns fforte (now the cheife if not the onely ffort) att his owne chardge ffor that Port Royal which was one of those surrendered 1632, was lately demolished soone after itt & all the Countrey & fforts of L'Cadia were taken ffrom de La Tour by Major Sedgwicke in Oliver's time wherevpon he being brought into England solicited the restitution of the fforts and Countrey to him as holding them by a pattent ffrom the Crowne of England; and came to an agree^{mt} wth Col. Temple and William Crowne and made over his interest to them by deed dated 20th of Sep^r 1656 upon a valuable consideration p. v^t in the deed videlicet, 3,379 li to Margaret Gibbons the Relict of Major Edward Gibbons ffor w^{ch} La Tour had some yeares before engaged the said fforts.

Besides Temple could not have the fforts and Countrey out off the handes off Sedgwickes officers & ffrom the power then in being, untill he had paid 1,800 li to them, besides he is out of purse many thousand poundes to mainteyne them from the Frenche who assaulted him and tooke them But were retaken by Col. Temple, though by the Treatye made betweene France and the Protectour that together with other differences considering damages received on the one side & the other, stood referred to arbitrage w^{ch} is not yett determined.

So his Case Col. Temple is able to make out by such pattents and evidences as he hath wth him in New England.

RO. NELSON.

(*In dorso.*) Col Temples Case, Mr R. Nelson received
20th Aug^t 1660.

TO THE KING'S MOST EXCELLENT MAJESTIE THE HUMBLE PETITION OF COL. JOHN
BLOUNT, THE LADYS MARY AND JANE ALEXANDER DAUGHTERS OF THE LATE
EARLE OF STERLINE. 1660. December 4.

Sheweth,

That WILL^m late EARLE OF STERLINE Principal Secretary of Scotland having to his vast Expence & the Wastenge of his whole estate in Scotland Planted a Colony in Nova Scotia, and a peace beinge concluded between his late Ma^{ty} of euer blessed memory & the late French King, Nova Scotia was included in the Articles of peace to be rendered to the French by which the said Earles whole fortune there was lost for reparation whereof His late Ma^{ty} was graciously pleased to thinke himselfe bound in equity to relieve him & grant his pattents for the reim-

bursement and payment of £10,000 to him & his assigns out of the Exchequer and all other the profits in Scotland whatsoever that should first arise: But the warres ensuing there, and afterwards here the said Earle and his Son, flather to your petitioners Mary, and Jane, dyed before payment of the said £10,000 & your Pet^r John marryed Dame Mary Countesse of Sterlinge and disbursed for her necessitys and preservation of her Estate and her children £2500.

In tender consideration whereof and for that £10,000 is all the expectancie & subsistance of your Pet^{rs} Mary and Jane & to reimburse your Pet^r John who faithfully served his late Ma^{tie} & your Ma^{tie} ever since the first warre in Scotland and commaunded your Ma^{ties} owne Regiment of Horse That your Ma^{tie} will be graciously pleased to grant your Letters Pattents for the satisfaction of the said £10,000 in proportion to your Pet^{rs} out of your Ma^{ties} Receipts in Scotland or other wayes as your Ma^{tie} shall thinke fitt.

And your Pet^{rs} shall ever pray, &c.

Whitehall, 4 December 1660.

1661.
March.

His Maty^e being sensible of the Pet^{rs} condition and sufferings is graciously inclined to releiv them, and is pleased to refer their case to the right Hon^{ble} the Lord Chambirlane of his Ma^{tie} hous, that he may consider of their pretensions in equity to Nova Scotia, and to report what he conceaves fit to be done therein whereupon his Maty^e will declare his further pleasure.

LAUDERDAILL.

(*In dorso.*) Pet^r of Coll. John Blount, &c. Read at the Committee the 12 March 1661.

May it please yo^r most Excellent Ma^{tie}

According to your Ma^{ties} reference to me vpon the Petition annexed I soo find by the patent therein mentioned, of the late King Charles your Royall Father of blessed memory That William late Earle of Sterline did by speciall order and command from his said Ma^{tie} According to Articles with the French King render back to the French his plantation of Nova Scotia in consideration whereof His said Ma^{tie} conceived himselfe bound to relieve him, and gave him the said Patent for Tenne thousand pounds payable out of the first profits of the Revenue of Scotland, which the Petiti^on affirms to bee yett unsatisfyed And therefore humbly conceive it equitable that the Petiti^on may be paid the same, And in all humility submit it to yo^r Ma^{ties} Royal consideration.

MANCHESTER.

THE CASE OF THE RIGHT HON^{BLE} HENRY EARLE OF STERLINE TOUCHING
NOVA SCOTIA IN AMERICA.

1660
(end of.)

King James by his Letters Patents vnder the Greate Seale of Scotland beareing date 10th Dec. 1621 did give and grant vnto Sir William Alexander afterwards EARLE OF STERLINE and his heires All that County of New Scotland.

King Charles by his Infeoffment under the Great Seale of Scotland of the 12th of July 1625, did give graunt and dispose vnto the said Sir William Alexander his heires and assignes, All and singular the lands and dominion of the Signor of New Scotland in America.

King Charles by his Letters Patents vnder the great Seale of Scotland beareing date the 3d of May 1627 reciteing the Infeoffm^t afores^d did graunt vnto the said Sir William Alexander and his heires the Admiraltie of New Scotland in America. Sir William Alexander afterwards dyed Henry Earle of Sterline beinge his sonne and heire who is likewise dead Henry now Earl of Sterline being his sonne and heire. It is said that Sr William Alexander did in his lifetime by the Kings generall command withdraw his Plantations in New Scotland. But if any such thing was, it was done vpon consideration of £10,000 to be paid vnto him by the King haueing expended in settling the Plantation there above £20,000 which 10,000 are to this day vnpaid.

It is humbly prayed by the now EARLE OF STERLINE that in regards the 10,000 li remaine vnpaid and that the Sig^{re} of New Scotland is now in the possession of his Majestie that his Majestie would be pleased to continue vnto him the graunt of that Countrie.

(*In dorso.*) The Case of the Earle of Sterline touching Nova Scotia.

VII.—ROLL OF BARONETS OF NOVA SCOTIA WHO HAD TERRITORIAL GRANTS FROM SIR WILLIAM ALEXANDER, EARL OF STIRLING.

The numbers at the right hand side refer to the pages of a volume in the General Register House, containing Precepts of Charters to the several Baronets of Nova Scotia. It is titled on the back "Regist. Precep. Cart. pro Baronettis Nov. Scotiæ" 1625-1630. The Precepts are entered not in strict Chronological order, but probably according to the time of their Registration. The names having no references are given on the authority of former lists.

1625.

May 28.	Sir ROBERT GORDOUN, knight, son of the late Alexander Earl of Sutherland	1
	28. WILLIAM, Earl MARISCHALL, Lord KEITH, &c.	19
	28. ALEXANDER STRACHAN, of Strachan	
	29. Sir DUNCAN CAMPBELL, of Glenurquhie, knight, &c.	46
	29. ROBERT INNES, of Innes	49
	29. Sir JOHN WEYMIS, of Weymis, knight	50
	30. DAVID LIVINGSTOUN, of Donnepace or Donypace	20
	30. Sir WILLIAM DOUGLAS, of Glenbervie, knight	20
July 14.	Sir DONALD MACKDONALD, of Slett, knight	72
	19. Master RICHARD MURRAY, of Cockpuill	22
August 30.	JOHN COLQUHOUN, of Luls	21
	31. Sir ALEXANDER GORDOUN, of Clunie, knight	22
September	1. JOHN LESLIE, of Wardes	23
	2. JAMES GORDOUN, of Lesmoir	24
	3. GILBERT RAMSAY, of Balmayne	23
November 17.	Sir GEORGE FORRESTER, of Corstorphine, knight	67
December 28.	ERSKINE	
	28. Sir WILLIAM GRAHAME, of Braco, knight	65
	28. PATRICK HUME, of Polwarth	

1626.

March 30.	WILLIAM FORBES, of Monymusk	24
	31. GEORGE JOHNSTOUN, of Caskibene	25
April 21.	Sir THOMAS BURNET, of Leyis, knight	25
	22. JOHN MONCREIFF, of Moncreiff	27
	24. GEORGE OGILVIE, of Carnowsie	26

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May 1.	ROBERT GORDOUN, of Lochinvar	27
June 1.	Sir WILLIAM MURRAY, of Clairmounth, knight	28
July 18.	Sir JOHN BLAKADER, of Tullialline, knight	45
September 29.	Sir JOHN OGILVIE, of Innerquharatie	1627.
March 18.	Sir DONALD McKYE, of Strathnaver, knight	57
28.	Sir JAMES MAXWELL, of Calderwood, knight	68
April 18.	JAMES STEWART, second lawful son of Alexander Earl of Galloway	74
May 2.	Sir ARCHIBALD NEPAR, of Merchistoun, knight	45
June 25.	JOHN LEVINGSTOUN, of Kinnaird	47
July 4.	WILLIAM CUNNYNGHAME, of Cunnyngamehead	48
July 17.	JAMES CARMICHAELL, of Westerraw	77
19.	Master JAMES MAKGILL, of Cranstounriddell	49
20.	GEORGE OGILVIE, of Banff	48
October 18.	SAMUEL JOHNSTOUN, of Elphinstoun	59
November 21.	WILLIAM COCKBURNE, apparent of Langtoun	63
December 13.	COLIN CAMPBELL, of Lundie, in Angus	54
	JAMES CAMPBELL, of Aberuchill	
1623.		
January 1.	Sir ARCHIBALD ACHISONE, of Clancainry, knight	73
10.	SANDILANDS	
10.	Sir ROBERT MONTGOMERIE, of Skelmurlie, knight	61
12.	JAMES HALIBURTON, of Pitcur	
12.	DUGALD CAMPBELL, of Auchinbreck	60
14.	Master DONALD CAMPBELL, of Ardnaturachane	61
February 19.	Master THOMAS HOPE, of Craighall, King's Advocate	51
22.	Sir JAMES SKENE, of Curriehill	
22.	Sir JOHN PRESTOUN, of Airdrie, knight	70
February 22.	ALEXANDER GIBSON, of Durie	
May 14.	JOHN CRAWFORD, of Kilbirny	
14.	JOHN RIDDELL, of Riddell	62
15.	Sir ARCHIBALD MURRAY of Blakbarronie, knight	58
16.	Sir PATRICK MURRAY, of Elibank, knight	66
21.	CADELL	
21.	Sir JOHN McKENZIE, of Tarbet, knight	63
June 20.	Master WILLIAM ELPHINSTOUN, Cupbearer to his Majesty	66
September 29.	ROBERT BARR,	
29.	Captain ARTHUR FORBES, of Castle Forbes, (Longford)	59

September 29.	FRANCIS HAMMILTON, of Killach, (Down)	59
October 2.	ANDREW STEWART, Lord Castlestewart, (Tyrone)	
	EDWARD (BARRETT,) Lord of Newburgh	62
1629.		
June 26.	WILLIAM BRUCE, of Stanehouse	64
July 27.	Master JOHN NICOLSONE, of Leswade	65
	27. MICHAEL ARNOT, fear of Arnot	68
	28. Master JAMES OLIPHANT, of Newtoun	64
	28. Sir PATRICK AGNEW, of Lochnaw, knight	66
	28. Sir WILLIAM KEITH, of Ludquharne, knight	68
November 30.	CLAUDE ST ESTIENNE, SEIGNEUR DE LA TOUR	
1630.		
March 31.	Sir ROBERT HANNAY, of Mochrum, knight	92
April 20.	WILLIAM FORBES, of Cragivar	70
	18. JAMES LORD STEWART of Ochiltrie (Cancelled before being recorded, see supra, p. 78, June 7, 1632)	
	24. Sir PEIRS CORSBIE, knight, one of the Privy Council in Ireland and WALTER CORSBIE, of Corsbie Park (Wicklow,) and the heirs-male of either	74
May 12.	CHARLES ST ESTIENNE, Seigneur de St Denis Court	
July 24.	JAMES SIBBALD, of Rankelour	69
October 2.	WILLIAM MURRAY, of New Dunearn	
November 13.	ROBERT RICHARDSONE, of Pencaitland,	69
	25. JOHN MAXWELL, of Pollock	
	25. DAVID CUNNYNGHAM, of Robertlandis	71
1631.		
March 5.	Sir HENRY WARDLAW, of Pittretrie, knight	71
June 2.	JAMES SINCLARE, of Caniesbie, son lawfull of Sir William Sinclare of Catboll, knight	72
	18. JOHN GORDOUN, of Kanbo	73
September 3.	LACHLAN McLEANE, of Morvaren	74
1633.		
December 22.	Sir JAMES BALFOUR, (of Denmilne), knight, Lyon King at Armes	88
	23. DAVID CUNNYNGHAME, of Auchinhervie	77
1634.		
June 7.	PHILIBERT VERNATE, of Carletoun (in Yorkshire) knight	78
	7. Captain HENRY BINGHAME, of Castlewar (in county Mayo in Ireland)	80
	7. Colonel HECTOR MONRO, of Foullis	80

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June 7.	ALEXANDER FOULLES, fear of Colingtoun	81
1635.		
January 6.	JAMES HAMMILTOUN, of Broomehill	81
[June 8.]	Sir JOHN GASCOIGNE, of Barnbow, in regionem Orcaden—(the date left blank)	82
18.	WALTER NORTOUN, of Chestone, in the county of Suffolk	83
29.	ARTHUR PILKINGTON, of Stainlie, in the county of York	83
September 26.	EDWARD WIDDINGTON, of Cairntington, Northumberland	84
December 10.	JAMES HAY, of Smithfield	
19.	MARIA BOLLES, of Osburtone, in the county of Nottingham, widow, and her heirs-male and assignees	84
19.	JOHN RANEY, of Rotham alias Rutam, in the county of Kent	85
1636.		
February 17.	JOHN FORTESCUE, of Salden, in the county of Buckingham	86
20.	THOMAS THOMSONE, of Dudingstoun	86
June 17.	JOHNE BROWNE, of Neale (Mayo)	
18.	EDWARD MOIR, of Longfuir, in the county of Nottingham	86
18.	ALEXANDER ABERCROMBY, of Birkenbog	
18.	JOHN SINCLARE, of Stevinstoun	87
18.	JOHN CURZON, of Kedlestone, in the county of Derby	87
September 13.	JOHN RANY, of Rotham, &c. (see 1635, December 19)	88
November 21.	GEDIAN BAILZIE, of Lochend	89
1637.		
January 16.	Master THOMAS NICOLSON, of Carnock	89
March 13.	Master GEORGE PRESTON, fear of Valafeild	89
July 31.	ANDREW KER, of Greinheid	91
1638.		
March 2.	HENRY SLINGSBIE, of Skriven, in the county of York	91
24.	THOMAS PEIR, of Stanypittis, in the county of Kent	91
December 17.	EDWARD LONGUELL, of Wolwerdin, in the county of Buckingham	92
	(Two blank Precepts, names and dates not supplied)	92

Several of the above are included in the Register of the Great Seal, and also, at great length, in the "Register of Signatouris in the Office of Comptrollerie;" but others, probably from not having paid the fees, seem not to have been registered.

In drawing these Collections to a close, a few words may be added in reference to the extraordinary claims to Territorial possessions and Superiority supposed to be attached to the Earldom of Stirling. Unless for the assumption that the royal grants to Sir William Alexander of vast territories were inalienable, and remained in full force, to be resumed with the title, we might never have heard of claimants whose pretensions were utterly baseless. That the direct male succession to the Earldom became extinct in 1739 is admitted on all hands. Supposing, however, there had been a continuous and undisputed succession, before any such Superiority could be reclaimed in virtue of grants made by Kings James and Charles, the following questions would remain to be solved:—

First, Whether Sir William Alexander fulfilled all or any of the obligations contained in his grants, by undertaking the Conversion of the infidel natives to the Christian faith,¹ or by the actual Plantation of colonies in New Scotland?

Secondly, Whether Sir William, about the time when raised to the Peerage, had not actually divested himself of whatever right or title he possessed to the Superiority and lordship of his lands in Nova Scotia in terms of his arrangements with Claude St Estienne, Seigneur de la Tour? And

¹ In all the early Signatures, the similar words are repeated: "for Propagation of Christiane religion within the bounds, countrey, and dominion of New Scotland, lyand within the bounds of America." But not a single instance is on record of either the King, Sir William Alexander, or his adventurers having, I will not say sent, but even of having proposed to send, a minister or missionary for such a purpose. Had the King set his sons Charles II. and James II. an example of "banishing to the Plantations" some of the obstreperous clergy, who opposed his innovations in the church, he might have unintentionally rendered the cause of religion a good service. It is to the undying credit of the Protector, that Cromwell, in 1649, ordered a general collection to be made in all the parishes of England and Wales for erecting a Corporation for the propagation of the Gospel in New England.

Thirdly, Whether Charles the First could be said to have exceeded his royal prerogative when, by the treaty of St Germain-en-laye, in March 1632, the whole British possessions in Nova Scotia and Canada, and places adjacent, were ceded and transferred to France, with no reservation in favour of Viscount Stirling and the other proprietors of lands in these territories, which had previously been conveyed to them by charters under the Great Seal of Scotland?

Charles the First indeed admitted that Lord Stirling was entitled to compensation for money that his son Lord Alexander and friends had spent in erecting a fort at Port Royal, before the settlers in that colony were, by the King's peremptory command, in a summary way, dispersed. The sum allotted was £10,000 sterling, but this, as we learn from the petitions of Henry Earl of Stirling,¹ and of Colonel John Blount, the husband of the Countess of Stirling, on behalf of himself and her two daughters,² remained unpaid at the Restoration in 1660.

No doubt the King, in his letter to the Privy Council of Scotland, in June 1632, says that this sum of £10,000 of indemnification was not to interfere with the Earl of Stirling's territory in Nova Scotia, &c. But these were mere soothing words of course, signifying nothing, or only a permission to retain an empty titular distinction; for what rights could his Lordship or any other British subject not resident possess in a country which was ceded unconditionally to France? Again, the King, in his letter to the Privy Council, September 27, 1633, says, "*hearing that there was a rumour given out by some that We had totallie left our purpose to plant in that countrie, as having surrendered our right thereof, leist anie further mistaking sould arise heirupon, We thought good heerby to cleare our intention therein: Which is, That our said Erle, with all such as sall adventure with him, sall prosecute the said worke, and be encouraged by all lawfull helpes as weill by com-pleitting of the intended number of Knight Baronets as otherwise.*" Such vague language conveys no other meaning than that *prosecuting the said worke* extended no further than endeavours to increase the proposed number of Baronets, the King engaging still to maintain the dignity and privileges of the Order, but giving no assurance either for securing the

¹ Supra, p. 119.

² Ib. p. 117.

lands conveyed to them by their patents, or for any active measures to be pursued towards the plantation of a country which no longer was subject to the British Crown.

The individual claims of the earlier Knight Baronets of Nova Scotia should also form no unimportant element in regard to the Territorial rights claimed for the Earldom of Stirling, although this in a great measure has been ignored or overlooked. In 1625, when this Order was instituted, Nova Scotia was nominally divided into so many baronies, with a certain allotment of land attached to each; and Sir William Alexander was empowered to dispose of these, along with the hereditary dignity, to persons of rank or distinction, upon payment of a stipulated sum. The number of persons was not to exceed One hundred and fifty;¹ and the sum payable by each was three thousand merks² (the equivalent to £166, 13s. 4d. sterling). Of this sum one-third was to go into Alexander's pocket, he engaging that the remaining two-thirds should be expended in setting forth the Plantation. Had it been exacted, as in the case of the Ulster settlers, that each Baronet, with a stated number of colonists, should take personal possession, it is certain the number of applicants would have been scanty indeed. To obviate this difficulty it was held, by a fiction of the law, that the usual legal form of taking possession by an instrument of seisin, or infeftment of lands on the other side of the Atlantic, should take place within the Castle of Edinburgh. Yet it appears that during the first four years the applicants who received patents were only about sixty, while during the next ten years about fifty more were induced to avail themselves of this hereditary title;³ and thus the object remained unaccomplished during the reign of Charles, although its original sphere was so enlarged as to render persons not connected with Scotland admissible to this dignity.

¹ Supra, p. 65, May 5, 1631.

² Supra, p. 21.

³ It is no easy matter to prepare a very accurate or satisfactory List of these Knight Baronets. The earliest List I have met with is contained in "A Catalogue of the Dukes, Marquesses, Earles, Viscounts, Bishops, Barons of the Kingdomes of England, Scotland, and Ireland, &c." Collected by T. W. London, 1640, 12mo. At p. 71 we find "The names of Knight Baronets of Scotland," amounting in all to ninety-five, including Sir Henry Gib (of St Martin's), but the dates of the patents are not given. Of this Catalogue by T. W. or Thomas Walkely, Lowndes quotes several editions.

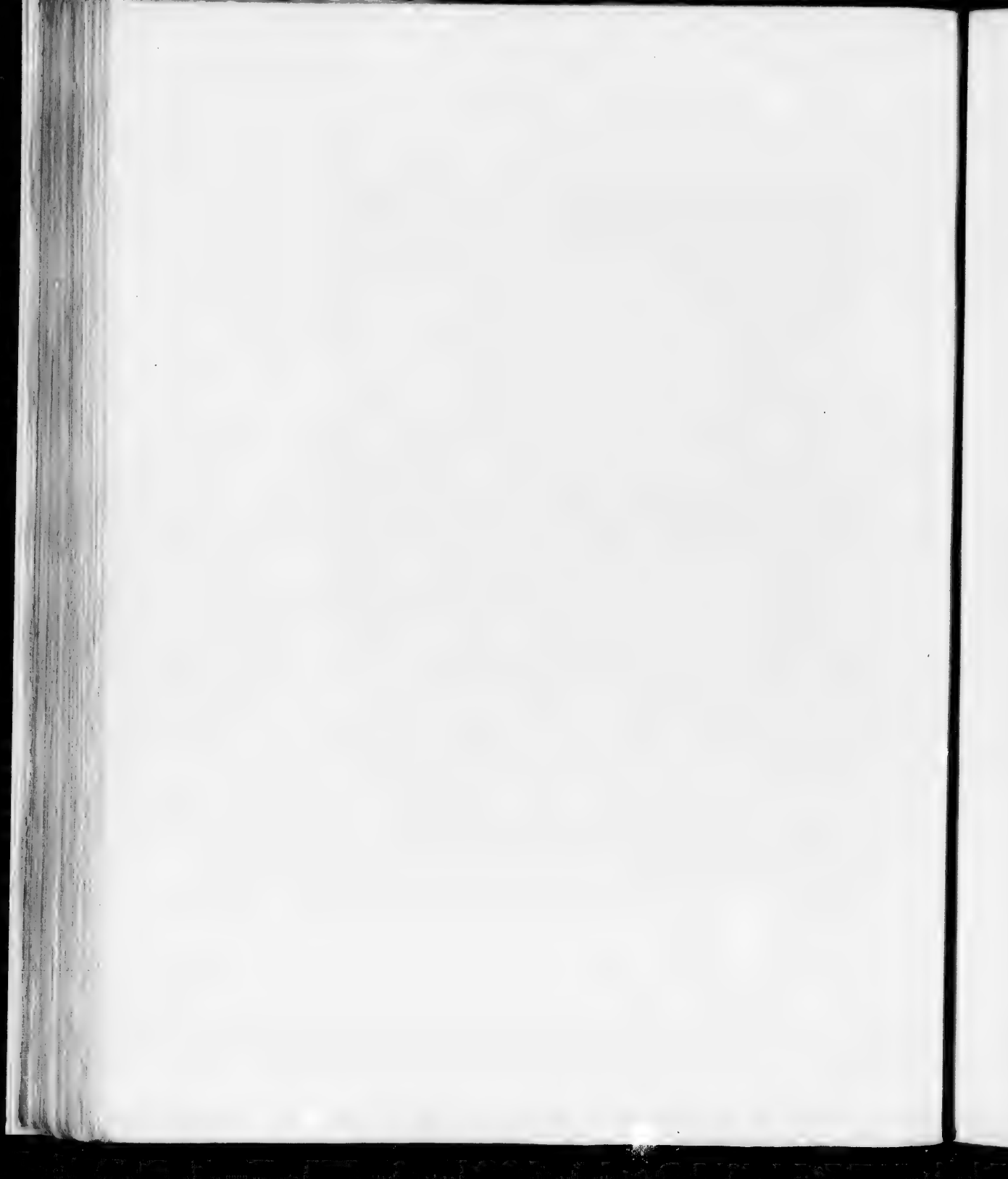
Such were the immediate results of this scheme, notwithstanding the interest taken by the King in his repeated and urgent appeals to have the number of Baronets completed, as if his own personal advantage was concerned, rather than that of merely serving a favourite in promoting a scheme which had promised to establish his personal dignity and interest.

The precept for a charter to each Knight Baronet was granted in the name of Sir William Alexander, who surrendered to the Crown the respective proportions of his said Lordship of New Scotland to be attached to the Baronetcy, with all the privileges of regality. It is thus clear that the Knight Baronets, according to the extent of their several Baronies, holding of the Crown, were placed on precisely the same footing with the lord superior, and consequently his individual rights, while these remained in force, must have become more and more contracted by each successive resignation.

In the later patents the locality of the lands attached to each new grant of the dignity of Knight Baronet ceased to be defined. This may be reckoned a matter of the smallest importance. Should the representative of any one of the first Nova Scotia Baronets, on the faith of his original patent, conveying to him and his heirs in perpetuity a certain extent of land, to form a distinct Barony in that country, with its boundaries described with seeming minuteness and accuracy, set out on a voyage of discovery, to ascertain its locality, and claim his right to possession, we may presume he would soon find that his prospects of success were by no means very encouraging.

DAVID LAING.

April 30, 1867.



CHARTERS UNDER THE GREAT SEAL

GRANTED TO

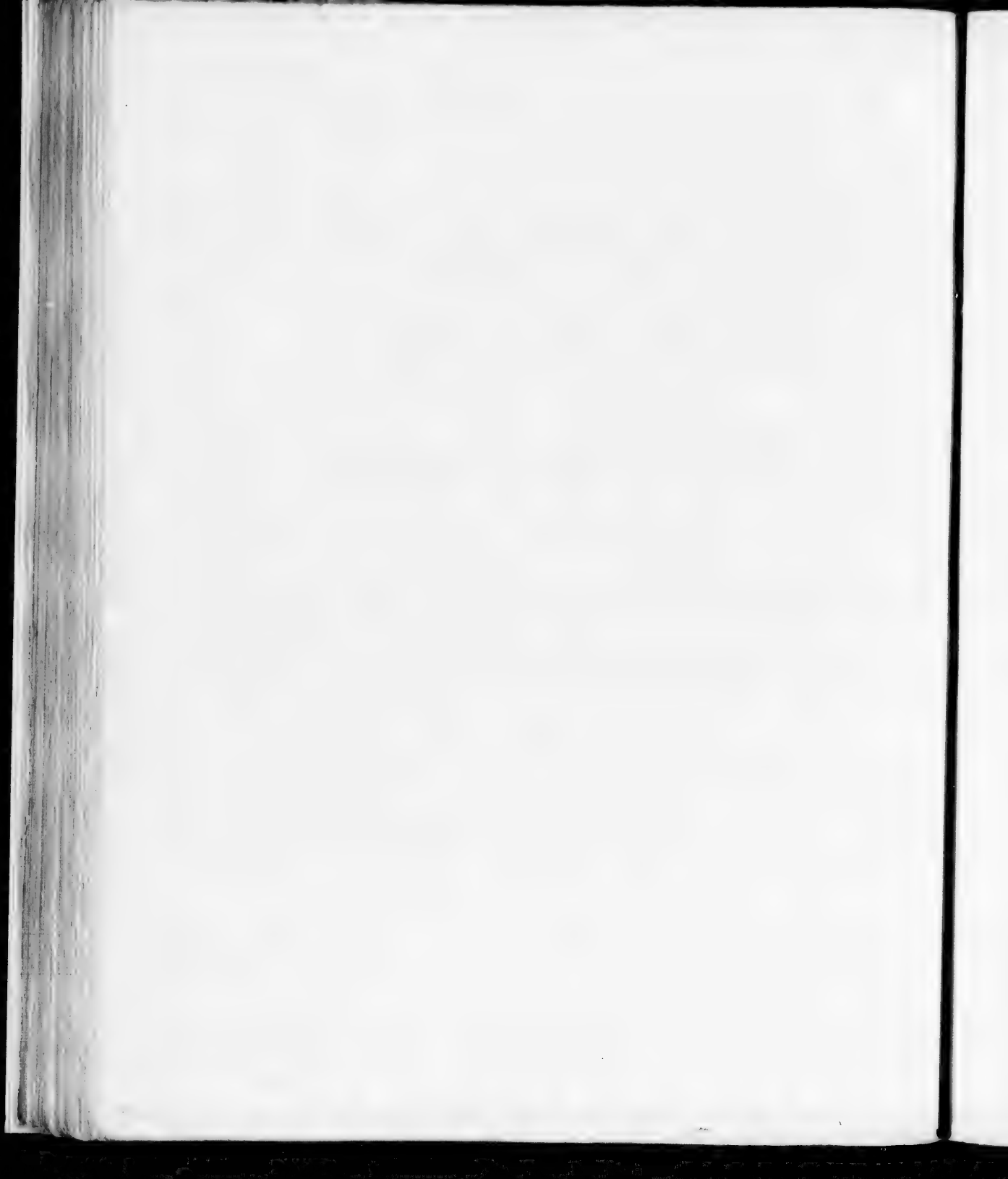
SIR WILLIAM ALEXANDER OF MENSTRIE

AND

SIR ROBERT GORDON OF LOCHINVAR,

OF LANDS IN NOVA SCOTIA.

M.DC.XXI.—M.DC.XXVIII.



CHARTERS.

CARTA DOMINI WILLELMI ALEXANDRI EQUITIS DOMINII ET BARONIE NOVÆ SCOTIÆ IN AMERICA. 10 SEPTEMBRIS 1621.

JACOBUS Dei gratia Magnae Britanniae Franciae et Hiberniae Rex &c. Fideique Defensor Omnibus probis hominibus totius terrae suae clericis et laicis salutem. SCIATIS nos semper ad quamlibet quae ad decus et emolumentum regni nostri Scotiae spectaret occasionem amplectendam fuisse intentos nullamque aut faciliorem aut magis innoxiam acquisitionem censere quam quae in exteris et incultis regnis ubi vitae et victui suppetunt commoda novis deducendis coloniis facta sit; praesertim si vel ipsa regna cultoribus prius vacua vel ab infidelibus quos ad Christianam converti fidem ad Dei gloriam interest plurimum insessa fuerunt; sed cum et alia nonnulla regna et haec non ita pridem nostra Anglia laudabiliter sua nomina novis terris acquisitis et a se subactis indiderunt quam numerosa et frequens Divino beneficio haec gens hac tempestate sit nobiscum reputantes quamque honesto aliquo et utili cultu eam studiose exerceri ne in deteriora ex ignavia et otio prolabatur expediat plerosque in novam deducendos regionem quam coloniis compleant operae pretium duximus qui et animi promptitudine et alacritate corporumque robore et viribus quibuscunque difficultatibus si qui alii mortalium uspiam se audeant opponere hunc conatum huic regno maxime idoneum inde arbitramur quod virorum tantummodo et mulierum jumentorum et frumenti non etiam pecuniae transvectionem postulat neque incommodam ex ipsius regni mercibus retributionem hoc tempore cum negotiatio adeo imminuta sit possit reponere hisce de causis sicuti et propter bonum fidele et gratum dilecti nostri consilarii Domini Willelmi Alexandri equitis servitium nobis praestitum et praestandum qui propriis impensis ex nostratibus primus exterram hanc coloniam ducendam conatus sit diversasque terras infra-designatis limitibus circumscriptas incolendas expetiverit Nos igitur ex regali nostra ad

Christianam religionem propagandam et ad opulentiam prosperitatem pacemque naturalium nostrorum subditorum dicti regni nostri Scotiae acquirendam cura sicuti alii principes extranei in talibus casibus hactenus fecerunt cum avisamento et consensu praedilecti nostri consanguinei et consilarii Joannis Comitis de Mar Domini Erskin et Gareoch summi nostri thesaurarii computorum rotulatoris collectoris ac thesaurarii novarum nostrarum augmentationum hujus regni nostri Scotiae ac reliquorum dominorum nostrorum commissionariorum ejusdem regni nostri Deditimus concessimus et disposuimus tenoreque praesentis cartae nostrae damus concedimus et disponimus praefato Domino Wilhelmo Alexander haeredibus suis vel assignatis quibuscunque haereditarie omnes et singulas terras continentis ac insulas situatas et jacentes in America intra caput seu promontorium communiter Cap de Sable appellatum jacens prope latitudinem quadraginta trium graduum aut eo circa ab equinoctiali linea versus septentrionem a quo promontorio versus littus maris tendentes ad occidentem ad stationem Sanctae Mariae navium vulgo *Sanctamareis Bay* et deinceps versus septentrionem per directam lineam introitum sive ostium magnae illius stationis navium trajicientes quae excurrit in terrae orientalem plagam inter regiones Suriquorum et Etecheminorum vulgo *Suriquois* et *Etechemines* ad fluvium vulgo nomine Sanctae Crucis appellatum et ad scaturiginem remotissimam sive fontem ex occidentali parte ejusdem qui se primum praedicto fluvio immiscet unde per imaginariam directam lineam quae pergere per terram seu currere versus septentrionem concepietur ad proximam navium stationem fluvium vel scaturiginem in magno fluvio de Cannada sese exonerantem et ab eo pergendo versus orientem per maris oras littorales ejusdem fluvii de Canada ad fluvium statim ad navium portum aut littus communiter nomine de Gathepe vel Gaspie notum et appellatum et deinceps versus euronotum ad insulas Bacalaos vel Cap Britton vocatas relinquendo easdem insulas a dextra et voraginem dicti magni fluvii de Canada sive magnae stationis navium et terras de Newfoundland cum insulis ad easdem terras pertinentibus a sinistra et deinceps ad caput sive promontorium de Cap Britton praedictum jacens prope latitudinem quadraginta quinque graduum aut eo circa et a dicto promontorio de Cap Britton versus meridiem et occidentem ad praedictum Cap Sable ubi incepit perambulatio includendo et comprehendendo intra dictas maris oras littorales ac earum circumferentias a mari ad mare omnes terras continentis cum fluminibus torrentibus sinibus littoribus insulis aut maribus jacentibus prope aut infra sex leucas ad aliquam earundem partem ex occidentali boreali vel orientali partibus orarum littoralium et praecinctuum earundem et ab euronoto (ubi jacet Cap Britton) et ex australi parte ejusdem (ubi est Cap de Sable) omnia maria ac insulas versus meridiem intra quadraginta leucas dictarum orarum littoralium earundem magnam insulam vulgariter appellatam Yle de Sable vel Sablon includendo jacentem versus Carban

vulgo *south-south-east* circa triginta leucas a dicto Cap Britton in mari et existentem in latitudine quadraginta quatuor graduum aut eo circa Quaequidem terrae praedictae omni tempore affuturo nomine NOVAE SCOTIAE IN AMERICA gaudebunt quas etiam praefatus Dominus Willelmus in partes et portiones sicut ei visum fuerit dividet iisdemque nomina pro beneplacito imponet Unacum omnibus fodinis tam regalibus auri et argenti quam aliis fodinis ferri plumbi cupri stanni aeris ac aliis mineralibus quibuscunque cum potestate effodiendi et de terra effodere causandi purificandi et repurgandi easdem et convertendi ac utendi suo proprio usui aut aliis usibus quibuscunque sicuti dicto Domino Willelmo Alexander haeredibus suis vel assignatis aut iis quos suo loco in dictis terris stabilire ipsum contigerit visum fuerit (reservando solummodo nobis et successoribus nostris decimam partem metalli vulgo *ore* auri et argenti quod ex terra in posterum effodietur aut lucrabitur) Relinquendo dicto Domino Willelmo suisque praedictis quodeunque ex aliis metallis cupri chalibis ferri stanni plumbi aut aliorum mineralium nos vel successores nostri quovismodo exigere possumus ut eo facilius magnos sumptus in extrahendis praefatis metallis tollere possit Unacum margaritis vulgo *pearle* ac lapidibus praetiosis quibuscunque aliis lapicidinis silvis virgultis mossis marresis lucubus aquis piscationibus tam in aqua salsa quam recenti tam regaliū piscium quam aliorum venatione aucupatione commoditatibus et haereditamentis quibuscunque Unacum plenaria potestate privilegio et jurisdictione liberae regalitatis capellae et cancellariae imperpetuum cumque donatione et patronatus jure ecclesiarum capellaniarum et beneficiorum cum tenentibus tenandriis et liberetenentium servitiis earundem una cum officiis justiciariae et admiralitatis respective infra omnes bondas respective supra mentionatas Una etiam cum potestate civitates liberos burgos liberos portus villas et burgos baroniae erigendi ac fora et nundinas infra bondas dictarum terrarum constituendi curias justiciariae et admiralitatis infra limites dictarum terrarum fluviorum portuum et marium tenendi una etiam cum potestate imponendi levandi et recipiendi omnia tolonia custumas anchoragia aliasque dictorum burgorum fororum nundinarum ac liberorum portuum devorias et eisdem possidendi et gaudendi adeo libere in omnibus respectibus sicuti quivis baro major aut minor in hoc regno nostro Scotiae gavisus est aut gaudere poterit quovis tempore praeterito vel futuro cum omnibus aliis praerogativis privilegiis immunitatibus dignitatibus casualitatibus proficuis et devoriis ad dictas terras maria et bondas earundem spectantibus et pertinentibus et quae nos ipsi dare vel concedere possumus adeo libera et ampla forma sicuti nos aut aliquis nostrorum nobilium progenitorum aliquas cartas patentes literas infeofamentae donationes aut diplomata concesserunt cuivis subdito nostro cujuscunque qualitatis aut gradus cuivis societati aut communitati tales colonias in quascunque partes extraneas deducendi aut terras extraneas investiganti in adeo libera et ampla forma

sicuti eadem in hac praesenti carta nostra insereretur Facimus etiam constituimus et ordinamus dictum Dominum Willelmum Alexander haeredes suos aut assignatos vel eorum deputatos nostros HEREDITARIOS LOCUMTENENTES GENERALES ad representandum nostram personam regalem tam per mare quam per terram in regionibus maris oris ac finibus praedictis in petendo dictas terras quamdiu illic manserit ac redeundo ab eisdem ad gubernandum regendum et puniendum omnes nostros subditos quos ad dictas terras ire aut easdem inhabitare contigerit aut qui negotiationem cum eisdem suscipient vel in eisdem locis remanebunt ac eisdem ignoscendum et ad stabiliendum tales leges statuta constitutiones directiones instructiones formas gubernandi et magistratuum ceremonias infra dictas bondas sicut ipsi Domino Willelmo Alexander aut ejus praedictis ad gubernationem dictae regionis et ejusdem incolarum in omnibus causis tam criminalibus quam civilibus visum fuerit et easdem leges regimina formas et ceremonias alterandum et mutandum quoties sibi vel suis praedictis pro bono et commodo dictae regionis placuerit ita ut dictae leges tam legibus hujus regni nostri Scotiae quam fieri possunt sint concordantes Volumus etiam ut in casu rebellionis aut seditionis legibus utatur militaribus adversus delinquentes vel imperio ipsius sese subtrahentes adeo libere sicut aliquis locumtenens cujusvis regni nostri vel domini virtute officii locumtenentis habent vel habere possunt excludendo omnes alios officarios hujus regni nostri Scotiae terrestres vel maritimos qui in posterum aliquid jurisclamei commoditatis authoritatis aut interesse in et ad dictas terras aut provinciam praedictam vel aliquam inibi jurisdictionem virtute alicujus praecedentis dispositionis aut diplomatis praetendere possunt Et ut viris honesto loco natis sese ad expeditionem istam subeundam et ad coloniae plantationem in dictis terris addatur animus nos pro nobis nostrisque haereditibus et successoribus cum avisamento et consensu praedicto virtute praesentis cartae nostrae damus et concedimus liberam et plenariam potestatem praefato Domino Willelmo Alexander suisque praedictis conferendi favores privilegia munia et honores in demerentes cum plenaria potestate eisdem aut eorum alicui quos cum ipso Domino Willelmo suisque praedictis pactiones vel contractus facere pro eisdem terris contingerit sub subscriptione sua vel suorum praedictorum et sigillo infra mentionato aliquam portionem vel portiones dictarum terrarum portuum navium stationum fluviorum ac ut praemissorum alicujus partis disponendi et extradonandi erigendi etiam omnium generum machinas artes facultates vel scientias aut easdem exercendi in toto vel in parte sicuti ei pro bono ipsorum visum fuerit Dandi etiam concedendi et attribuendi talia officia titulos jura et potestates constituendi et designandi tales capitaneos officarios balivos gubernatores clericos omnesque alios regalitatis baroniae et burgi officarios aliosque ministros pro administratione justitiae infra bondas dictarum terrarum aut in via dum terras istas petunt per mare et ab eisdem redeunt sicuti ei necessarium

videbitur secundum qualitates conditiones et personarum merita quos in aliqua coloniarum dictae provinciae aut aliqua ejusdem parte habitare contigerit aut qui ipsorum bona vel fortunas pro commodo et incremento ejusdem periculo committent et eosdem ab officio removendi alterandi et mutandi prout ei suisque praescriptis expediens videbitur Et cum hujusmodi conatus non sine magno labore et sumptibus fiunt magnamque pecuniae largitionem requirant adeo ut privati cujusvis fortunas excedant et multorum suppetiis indigeant ob quam causam praefatus Dominus Wilhelmus Alexander suiique praescripti cum diversis nostris suisque aliisque pro particularibus periculationibus et susceptionibus ibidem qui forte cum eo suisque haeredibus assignatis vel deputatis pro terris piscationibus mercimoniis aut populi transportatione cum ipsorum pecoribus rebus et bonis versus dictam Novam Scotiam contractus inibunt volumus ut quicumque tales contractus cum dicto Domino Wilhelmo suisque praescriptis sub ipsorum subscriptionibus et sigillis expedient limitando assignando et affigendo diem et locum pro personarum bonorum et rerum ad navem deliberatione sub pena et forisfactura cujusdam monetae summae et eosdem contractus non perficient sed ipsum frustrabunt et in itinere designato ei nocebunt quod non solum dicto domino Wilhelmo suisque praedictis poterit esse praepjudicio et nocumento verum etiam nostrae tam laudabili intentioni obstabit et detrimentum inferet tunc licitum erit praefato Domino Wilhelmo suisque praedictis vel eorum deputatis et conservatoribus inframentationis in eo casu sibi suisque praedictis quos ad hunc effectum substituet omnes tales summas monetae bona et res forisfactas per talium contractuum violationem assumere Quod ut facilius fiat et legum prolixitas evitetur dedimus et concessimus tenoreque praesentis cartae nostrae damus et concedimus plenariam licentiam libertatem et potestatem dicto Domino Wilhelmo suisque haeredibus et assignatis praedictis eligendi nominandi assignandi ac ordinandi libertatum et privilegiorum per praesentem nostram cartam sibi suisque praedictis concessorum conservatorem qui expeditae executioni leges et statuta per ipsum suosque praedictos facta secundum potestatem ei suisque praedictis per dictam nostram cartam concessam demandabit volumusque et ordinamus potestatem dicti conservatoris in actionibus et causis ad personas versus dictam plantationem contrahentes spectantibus absolutam esse sine ulla appellatione aut procrastinatione quicumque quiquidem conservator possidebit et gaudebit omnia privilegia immunitates libertates et dignitates quascunque quae quivis conservator Scoticorum privilegiorum apud extraneos vel in Gallia Flandria aut alibi hactenus possiderunt aut gavis sunt quovis tempore praeterito Et licet omnes tales contractus inter dictum Dominum Wilhelmmum suosque praedictos et praedictos periclitatores per periculationem et transportationem populorum cum ipsorum bonis et rebus ad statutum diem perficientur et ipsi cum suis omnibus pecoribus et bonis ad littus

illius provinciae animo coloniam ducendi et remanendi appellent et nihilominus postea vel omnino provinciam Novae Scotiae et ejusdem confinia sine licentia dicti Domini Willelmi ejusque praedictorum vel eorum deputatorum vel societatem et coloniam praedictam ubi primum combinati et conjuncti fuerant derelinquent et ad agrestes indigenas in locis remotis et desertis ad habitandum sese conferent quod tunc amittent et forisfacient omnes terras prius iis concessas omnia etiam bona infra omnes praedictas bondas et licitum erit praedicto Domino Willelmo suisque praedictis eadem fisco applicare et easdem terras recognoscere eademque omnia ad ipsos vel eorum aliquem quovismodo spectantia possidere et suo peculiari usui suorumque praedictorum convertere Et ut omnes dilecti nostri subditi tam regnorum nostrorum et dominiorum quam alii extranei quos ad dictas terras aut aliquam earundem partem ad mercimonia contrahenda navigare contigerit melius sciant et obedientes sint potestati et auctoritati per nos in praedictum fidelem nostrum consiliarum Dominum Willelmum Alexander suosque praedictos collatae in omnibus talibus commissionibus warrantis [et] contractibus quos quovis tempore futuro faciet concedet et constituet pro decentioni et validiori constitutione officiariorum pro gubernatione dictae coloniae concessionem terrarum et executione justitiae dictos inhabitantes periclitantes deputatos factores vel assignatos tangentibus in aliqua dictarum terrarum parte vel in navigatione ad easdem terras nos cum avisamento et consensu praedicto ordinamus quod dictus Dominus Willelmus Alexander suique praedicti unum commune sigillum habebunt ad officium locumtenentis justiciariae et admiralitatis spectans quod per dictum Dominum Willelmum Alexander suosque praedictos vel per deputatos suos omni tempore affuturo custodietur in cujus uno latere nostra insignia insculpentur cum his verbis in ejusdem circulo et margine SIGILLUM REGIS SCOTIAE ANGLIAE FRANCIAE ET HYBERNIAE et in altero latere imago nostra nostrorumque successorum cum his verbis (PRO NOVAE SCOTIAE LOCUMTENENTE) cujus justum exemplar in manibus ac custodia dicti conservatoris remanebit quo prout occasio requiret in officio suo utetur Et cum maxime necessarium sit ut omnes dilecti nostri subditi quotquot dictam provinciam Novae Scotiae vel ejus confinia incolent in timore Omnipotentis Dei et vero ejus cultu simul vivant omni conamine nitentes Christianam religionem ibi stabilire pacem et quietem cum nativis incolis et agrestibus aboriginibus earum terrarum colere (unde ipsi et eorum quilibet mercimonia ibi exercentes tuti cum oblectamento ea quae magno cum labore et periculo acquisiverunt quiete possidere possint) nos pro nobis nostrisque successoribus volumus nobisque visum est per praesentis cartae nostrae tenorem dare et concedere dicto Domino Willelmo Alexander suisque praedictis et eorum deputatis vel aliquibus aliis gubernatoribus officiariis et ministris quos ipsi constituent liberam et absolutam potestatem tractandi et pacem affinitatem amicitiam et mutua colloquia operam et communicationem cum

agrestibus illis aboriginibus et eorum principibus vel quibuscunque aliis regimen et potestatem in ipsos habentibus contrahendi observandi et alendi tales affinitates et colloquia quae ipsi vel sui praedicti cum iis contrahent modo foedera illa ex adversa parte per ipsos silvestres fideliter observentur quod nisi fiat arma contra ipsos sumendi quibus redigi possunt in ordinem sicuti dicto Willelmo suisque praedictis et deputatis pro honore obedientia et Dei servitio ac stabilimento defensione et conservatione autoritatis nostrae inter ipsos expediens videbitur Cum potestate etiam praedicto Domino Willelmo Alexander suisque praedictis per ipsos vel eorum deputatos substitutos vel assignatos pro ipsorum defensione [et] tutela omni tempore et omnibus justis occasionibus in posterum aggrediendi ex inopinato invadendi expellendi et armis repellendi tam per mare quam per terram omnibus modis omnes et singulos qui sine speciali licentia dicti Domini Willelmi suorumque praedictorum terras inhabitare aut mercaturam facere in dicta Novae Scotiae provincia aut quavis ejusdem parte conabuntur et similiter omnes alios quoscunque qui aliquid damni detrimenti destructionis laesionis vel invasionis contra provinciam illam aut ejusdem incolas inferre praesumunt quod ut facilius fiat licitum erit dicto Domino Willelmo suisque praedictis eorum deputatis factoribus et assignatis contributiones a periclitantibus et incolis ejusdem levare in unum cogere per proclamationes vel quovis alio ordine talibus temporibus sicuti dicto Domino Willelmo suisque praedictis expediens videbitur omnes nostros subditos infra dictos limites dictae provinciae Novae Scotiae inhabitantes et mercimonia ibidem exercentes convocare pro meliori exercituum necessariorum supplemento et populi et plantationis dictarum terrarum augmentatione et incremento Cum plenaria potestate privilegio et libertate dicto Domino Willelmo Alexander suisque praedictis per ipsos vel eorum substitutos per quaevis maria sub nostris insigniis et vexillis navigandi cum tot navibus tanti oneris et tam bene munitione viris et victualibus instructis sicuti possunt parare quovis tempore et quoties iis videbitur expediens ac omnes cujuscunque qualitatis et gradus personas subditi nostri¹ existentes aut qui imperio nostro sese subdere ad iter illud suscipiendum voluerint cum ipsorum jumentis equis bobus ovibus bonis et rebus omnibus munitionibus machinis majoribus armis et instrumentis militaribus quotquot voluerint aliisque commoditatibus et rebus necessariis pro usu ejusdem coloniae mutuo commercio cum nativis inhabitantibus earum provinciarum aut aliis qui cum ipsis plantatoribus mercimonia contrahent transportandi et omnes commoditates et mercimonia quae iis videbuntur necessaria in regnum nostrum Scotiae sine alicujus taxationis custumae aut impositionis pro eisdem solutione nobis vel nostris custumariis aut eorum deputatis inde portandi eosdem ab eorum officiis in hac parte pro spatio septem annorum diem datae

¹ Sic in Reg.—should be *subditos nostros*.

praesentium immediate sequentium inhihendo quamquidem solam commoditatem per spatium tredecim annorum in posterum libere concessimus tenoreque praesentis cartae nostrae concedimus et disponimus dicto Domino Willelmo suisque praedictis secundum proportionem quinque pro centum postea mentionatam Et post tredecim illos annos finitos licitum erit nobis nostrisque successoribus ex omnibus bonis et mercimoniis quae ex hoc regno nostro Scotiae ad eandem provinciam vel ex ea provincia ad dictum regnum nostrum Scotiae exportabuntur vel importabuntur in quibusvis hujus regni nostri portibus per dictum Willelmum suosque praedictos tantum quinque libras pro centum secundum antiquam negotiandi morem sine ulla alia impositione taxatione custuma vel devoria ab ipsis imperpetuum levare et exigere quaquidem summa quinque librarum pro centum sic soluta per dictum Dominum Willelmum suosque praedictos aliisque nostris officariis ad hunc effectum constitutis exinde licitum erit dicto Domino Willelmo suisque praedictis eadem bona de nostro hoc regno Scotiae in quasvis alias partes vel regiones extraneas sine alicujus alterius custumae taxationis vel devoriae solutione nobis vel nostris haeredibus aut successoribus aut aliquibus aliis transportare et avehere proviso tamen quod dicta bona infra spatium tredecim mensium post ipsarum in quovis hujus regni nostri portu apulsionem navi rursus imponantur Dando et concedendo absolutam et plenariam potestatem dicto Domino Willelmo suisque praedictis ab omnibus nostris subditis qui colonias ducere mercimonia exercere aut ad easdem terras Novae Scotiae et ab eisdem navigare voluerint praeter dictam summam nobis debitam pro bonis et mercimoniis quinque libras de centum vel ratione exportationis ex hoc regno nostro Scotiae ad provinciam Novae Scotiae vel importationis a dicta provincia ad regnum hoc nostrum Scotiae praedictum in ipsius ejusque praedictorum proprios usus sumendi levandi et recipiendi et similiter de omnibus bonis et mercimoniis quae per nostros subditos coloniarum ductores negotiatores et navigatores de dicta provincia Novae Scotiae ad quaevis nostra dominia aut alia quaevis loca exportabuntur vel a nostris regnis et aliis locis ad dictam Novam Scotiam importabuntur ultra et supra dictam summam nobis destinatam quinque libras de centum Et de bonis et mercimoniis omnium extraneorum aliorumque sub nostra obedientia [minime] existentium quae vel de provincia Novae Scotiae exportabuntur vel ad eandem importabuntur ultra et supra dictam summam nobis destinatam decem libras de centum dicti Domini Willelmi suorumque praedictorum propriis usibus per tales ministros officarios vel substitutos eorumve deputatos aut factores quos ipsi ad hunc effectum constituent et designabunt levandi sumendi ac recipiendi Et pro meliori dicti Domini Willelmi suorumque praedictorum aliorumque omnium dictorum nostrorum subditorum qui dictam Novam Scotiam inhabitare vel ibidem mercimonia exercere voluerint securitate et commoditate et generaliter omnium aliorum qui nostrae auctoritati et

potestati sese subdere non gravabuntur nobis visum est volumusque quod licitum erit dicto Domino Willelmo suisque praedictis unum aut plura munimina propugnacula castella loca fortia specula armamentaria *lie blokhouss* aliaque aedificia cum portubus et navium stationibus aedificare vel aedificari causare unacum navibus bellicis easdemque pro defensione dictorum locorum applicare sicut dicto Domino Willelmo suisque praedictis pro dicto conamine perficiendo necessarium videbitur proque ipsorum defensione militum catervas ibidem stabilire praeter praedicta supramentionata et generaliter omnia facere quae pro conquaestu augmentatione populi inhabitatione preservatione et gubernatione dictae Novae Scotiae ejusdemque orarum et territorii infra omnes hujusmodi limites pertinentias et dependentias sub nostro nomine et auctoritate quodcumque nos si personaliter essemus praesentes facere potuimus licet casus specialem et strictum magis ordinem quam per praesentes praescribitur requirat cui mandato volumus et ordinamus strictissimeque praecipimus omnibus nostris justiciariis officiariis et subditis ad loca illa sese conferentibus ut sese applicent dictoque Domino Willelmo suisque praedictis in omnibus et singulis supra mentionatis earum substantiis circumstantiis et dependentiis intendant et obediant eisque in earum executione in omnibus adeo sint obedientes ut nobis cujus personam representat esse deberent sub pena disobedientiae et rebellionis Et quia fieri potest quod quidam ad dicta loca transportandi refractarii sint et ad eadem loca ire recusabunt aut dicto Domino Willelmo suisque praedictis resistent nobis igitur placet quod omnes vicecomites senescalli regalitatum ballivi pacis justiciarii praepositi et urbium ballivi eorumque officiarii et justitiae ministri quicumque dictum Dominum Willelmum suosque deputatos aliosque praedictos in omnibus et singulis legitimis rebus et factis quas facient aut intendunt ad effectum praedictum similiter et eodem modo sicuti nostrum speciale warrantum ad hunc effectum habent assistent fortisficient et eisdem suppetias ferant Declaramus insuper per praesentis cartae nostrae tenorem omnibus christianis regibus principibus et statibus quod si aliquis vel aliqui qui in posterum de dictis coloniis vel de earum aliqua sit in dicta provincia Novae Scotiae vel aliqui alii sub eorum licentia vel mandato quovis tempore futuro piraticam exercentes per mare vel terram bona alicujus abstulerint vel aliquod injustum vel indebitum hostiliter contra aliquos nostros nostrorumve haeredum et successorum aut aliorum regum principum gubernatorum aut statuum in foedere nobiscum existentium subditos quod tali injuria sic oblata aut justa querela desuper mota per aliquem regem principem gubernatorem statum vel eorum subditos praedictos nos nostri haeredes et successores publicas proclamationes fieri curabimus in aliqua parte dicti regni nostri Scotiae ad hunc effectum magis commoda ut dictus pirata vel piratae qui tales rapinas committent stato tempore per praefatas proclamationes limitando plenarie restituent quaecumque bona sic ablata et pro dictis injuriis omni-

modo satisfaciant ita ut dicti principes alique sic conquaerentes satisfactos se esse reputent et quod si talia facinora committent bona ablata non restituent aut restitui faciant infra limitatum tempus quod tunc in posterum sub nostra protectione et tutela minime erunt et quod licitum erit omnibus principibus aliisque praedictis delinquentes eos hostiliter prosequi et invadere Et licet neminem nobilem aut generosum de patria hac sine licentia nostra decedere statutum sit nihilominus volumus quod praesens hoc diploma sufficiens erit licentia et warrantum omnibus qui se huic itineri committent qui laesa majestatis non sunt rei vel aliquo alio speciali mandato inhibiti atque etiam per praesentis cartae nostrae tenorem declaramus volumusque quod nemo patria hac decedere permittatur versus dictam Novam Scotiam nullo tempore nisi ii qui juramentum suprematatis nostrae primum susceperint ad quem effectum nos per praesentes dicto Domino Willelmo suisque praedictis vel eorum conservatori vel deputatis idem hoc juramentum omnibus personis versus illas terras in ea colonia sese conferentibus requirere et exhibere plenariam potestatem et auctoritatem damus et concedimus Praeterea nos cum avisamento et consensu praedicto pro nobis et successoribus nostris declaramus decernimus et ordinamus quod omnes nostri subditi qui ad dictam Novam Scotiam proficiscentur aut eam incolent eorumque omnes liberi et posteritas qui [quos] ibi nasci contigerit alique omnes ibidem periclitantes habebunt et possidebunt omnes libertates immunitates et privilegia liberorum et naturalium subditorum regni nostri Scotiae aut aliorum nostrorum dominiorum sicuti ibidem nati fuissent Insuper nos pro nobis et successoribus nostris damus et concedimus dicto Domino Willelmo Alexander suisque praedictis liberam potestatem stabiliendi et eudere causandi monetam pro commercio liberiore inhabitantium dictae provinciae cujusvis metalli quo modo et qua forma voluerint et eisdem praescribent Atque etiam si quae quaestiones aut dubia super interpretatione aut constructione alicujus clausulae in hac presenti carta nostra contentae occurrant ea omnia sumuntur et interpretabuntur in amplissima forma et in favorem dicti Domini Willelmi suorumque praedictorum Praeterea nos ex nostra certa scientia proprio motu auctoritate regali et potestate regia fecimus univimus annexavimus creximus creavimus et incorporavimus tenoreque praesentis cartae nostrae facimus univimus annexamus erigimus creamus et incorporamus totam et integram praedictam provinciam et terras Novae Scotiae cum omnibus ea eadem limitibus et maribus¹ ac mineralibus auri et argenti plumbi cupri chalibis stanni aeris ferri aliisque quibuscunque fodinis margaritis lapidibus praeiosis lapicidinis silvis virgultis mossis marresis lacubus aquis piscationibus tam in aquis dulcibus quam salsis tam regalium piscium quam aliorum civitatibus liberis portubus liberis burgis urbibus baroniae burgis maris portubus anchoragiis machinis molendinis officiis et jurisdictionibus omnibusque aliis gene-

¹ In Reg. Mag. Sigilli maris.

raliter et particulariter supra mentionatis in unum integrum et liberum dominium et baroniam per praedictum nomen Novae Scotiæ omni tempore futuro appellandum Volumusque et concedimus ac pro nobis et successoribus nostris decernimus et ordinamus quod unica sasina nunc per dictum Dominum Willelmum suosque praedictos omni tempore affuturo super aliquam partem fundi dictarum terrarum et provinciae praescriptae stabit et sufficiens erit sasina pro tota regione cum omnibus partibus pendiculis privilegiis casualitatibus libertatibus et immunitatibus ejusdem supramentionatis absque aliqua alia speciali et particulari sasina per ipsum suosve praedictos apud aliquam aliam partem vel ejusdem locum capienda penes quam sasinae omniaque quae inde secuta sunt aut sequi possunt nos cum avisamento et consensu praescripto pro nobis et successoribus nostris dispensavimus tenoreque praesentis cartae nostrae modo subtus mentionato dispensamus imperpetuum **TENENDAM ET HABENDAM** totam et integram dictam regionem et dominium Novae Scotiæ cum omnibus ejusdem limitibus infra praedicta maria mineralibus auri et argenti cupri chalibis stanni ferri aeris aliisque quibuscunque fodinis margaritis lapidibus praeciosis lapicidinibus silvis virgultis mossis marresius lacubus aquis piscationibus tam in aquis dulcibus quam salsis tam regalium piscium quam aliorum civitatibus liberis burgis liberis portubus urbibus baroniae burgis maris portubus anchoragiis machinis molendinis officiis et jurisdictionibus omnibusque aliis generaliter et particulariter supra mentionatis cumque omnibus aliis privilegiis libertatibus immunitatibus casualitatibus aliisque supra expressis praefato Domino Willelmo Alexander haeredibus suis et assignatis de nobis nostrisque successoribus in feodo haereditate libero dominio libera baronia et regalitate imperpetuum modo supramentionato per omnes rectas metas et limites suas prout jacent in longitudine et latitudine in domibus aedificiis aedificatis et aedificandis boscis planis moris marresius viis semitis aquis stagnis rivolis pratis pascuis et pasturis molendinis multuris et eorum sequelis aucupationibus venationibus piscationibus petariis turbariis carbonibus carbonariis cuniculis cuniculariis columbis columbariis fabrilibus brasinia brueriis et genistis silvis nemoribus et virgultis lignis lapicidiis lapide et calce cum curiis et curiarum exitibus herezeldis bludewetis et mulierum marchetis cum furca fossa sok sak thole thame infangtheiff outfangtheiff vert wrak wair veth vennyssoun pitt et gallous ac cum omnibus aliis et singulis libertatibus commoditatibus proficiis asiamentis ac justis suis pertinentiis quibuscunque tam non nominatis quam nominatis tam subtus terra quam supra terram procul et prope ad praedictam regionem spectantibus seu juste spectare valentibus quomodolibet in futurum libere quiete plenarie integre honorifice bene et in pace absque ulla revocatione contradictione impedimento aut obstaculo aliquali Solvendo inde annuatim dictus Dominus Willelmus Alexander suique praedicti nobis nostrisque haeredibus et successoribus unum

denarium monetae Scotiae super fundum dictarum terrarum et provinciae Novae Scotiae ad festum Nativitatis Christi nomine albae firmæ si petatur tantum Et quia tentione dictarum terrarum et provinciae Novae Scotiae et alba firma praedicta deficiente tempestivo et legitimo introitu ejusvis haeredis vel haeredum dicti Domini Willelmi sibi succedentium quod difficulter per ipsos praestari potest ob longinquam distantiam ab hoc regno nostro eadem terrae et provincia ratione non-introitus in manibus nostris nostrorumve successorum devenient usque ad legitimum legitimi haeredis introitum et nos nolentes dictas terras et regionem quovis tempore in non-introitu cadere neque dictum Dominum Willelmum suosque praedictos beneficiis et proficiis ejusdem eatenus frustrari ideo nos cum avasamento praedicto cum dicto non-introitu¹ quodocunque contigerit dispensavimus tenoreque praesentis cartae nostrae pro nobis et successoribus nostris dispensamus ac etiam renunciavimus et exoneravimus tenoreque ejusdem cartae nostrae cum consensu praedicto renunciamus et exoneramus dictum Dominum Willelmum ejusque praescriptos praefatum non-introitum dictae provinciae et regionis quodocunque in manibus nostris deveniet aut ratione non-introitus cadet cum omnibus quae desuper sequi possunt proviso tamen quod dictus Dominus Willelmus suiique haeredes et assignati infra spatium septem annorum post decessum et obitum suorum praedecessorum aut introitum ad possessionem dictarum terrarum aliorumque praedictorum per ipsos vel eorum legitimos procuratores ad hunc effectum potestatem habentes nobis nostrisque successoribus homagium faciant et dictas terras dominium et baroniam aliaque praedicta adeant et per nos recipiantur secundum leges et statuta dicti regni nostri Scotiae Denique nos pro nobis et successoribus nostris volumus decernimus et ordinamus praesentem hanc nostram cartam et infeofamentum supra scriptam praedictarum terrarum dominii et regionis Novae Scotiae privilegia et libertates ejusdem in proximo nostro parlamento dicti regni nostri Scotiae cum contigerit ratificari approbari et confirmari ut vim et efficaciam decreti inibi habeat penes quod nos pro nobis et successoribus nostris declaramus hanc nostram cartam sufficiens fore warrantum et in verbo principis eandem ibi ratificari et approbari promittimus atque etiam alterare renovare et eandem in amplissima forma augere et extendere quoties dicto Domino Willelmo ejusque praedictis necessarium et expediens videbitur Insuper nobis visum est ac mandamus et praecipimus dilectis nostris

vicecomitibus nostris in hac parte specialiter constitutis quatenus post hujus cartae nostrae nostro sub magno sigillo aspectum statum et sasinam actualem et realem praefato Domino Willelmo suisque praedictis eorumve actornato vel actornatis terrarum dominii baroniae aliorumque praedictorum cum omnibus libertatibus privilegiis

¹ In Reg. Mag. Sigilli introitu.

immunitatibus aliisque supra expressis dare et concedere quam sasinam nos per presentis cartae nostrae tenorem adeo legitimam et ordinariam esse declaramus ac si praeceptum sub testimonio nostri Magni Sigilli in amplissima forma cum omnibus clausulis requisitis ad hunc effectum praedictum haberet penes quod nos pro nobis et successoribus nostris imperpetuum dispensamus In cujus rei testimonium huic praesenti cartae nostrae magnum sigillum nostrum apponi praecepimus testibus praedilectis nostris consanguineis et consiliariis Jacobo Marchione de Hammiltoun comite Arranie et Cambridge domino Aven et Innerdail¹ Georgio Mariscalli comite domino Keyth &c. regni nostri mariscallo Alexandro comite de Dumfermeling domino Fyvie et Urquhart &c. nostro cancellario Thoma comite de Melros domino Binning et Byres nostro secretario dilectis nostris familiaribus consiliariis dominis Ricardo Cockburne juniore de Clerkingtoun nostri secreti sigilli custode Georgio Hay de Kinfawnis nostrorum rotulorum registri ac consilii clerico Joanne Cockburne de Ormestoun nostrae justiciariae clerico et Joanne Scot de Scotstarvett nostrae cancellariae direttore militibus Apud castellum nostrum de Windsore decimo die mensis Septembris anno Domini millesimo sexcentesimo vigesimo primo regnorumque nostrorum annis quinquagesimo quinto et decimo nono.

Per signaturam manu S. D. N. Regis suprascriptam ac manibus Cancellarii Thesaurarii Principalis Secretarii ac reliquorum Dominorum nostrorum Commissionariorum ac Secreti Consilii ejusdem Regni Scotiae subscriptam.

Writtin to the Great Seall,

29. Septemb. 1621.

J. SCOTT,

gratis.

Sigellat. Edinburgi,

29. Septemb. 1621,

JA. RAITHE,

gr^e.

¹ In the Regist. Mag. Sigilli the names of the witnesses are not given, but only a reference, as specified in an earlier Charter in the Record. The indorsement of the Charter, "Writtin, &c.," of course is not found in the Register itself.

CARTA DOMINI ROBERTI GORDOUN DE LOCHINVAR
MILITIS BARONIE DE GALLOWAY IN NOVA SCOTIA
IN AMERICA. 8 NOVEMBRIS 1621.

JACOBUS Dei gratia Magne Britannie Francie et Hibernie Rex Fideique Defensor
OMNIBUS probis hominibus totius terre sue clericis et laicis salutem SCIATIS quia
nos per nostrum infeofamentum et patentes literas nostro sub magno sigillo regni
nostri Scotie de data dedimus concessimus et disposui-
mus nostro fidei et predilecto consiliario Domino Willielmo Allexander de Menstri
militi heredibus suis et assignatis hereditarie totas et integras terras dominium et
baroniam Nove Scotie in America jacentes et bondatas modo in dicto infeofamento
mentionato Cujusquidem regionis plantationem cum omnino deserta vel ad mini-
mum ab infidelibus inhabita sit dictus Dominus Willielmus Allexander aggressus
est Que plantatio cum privati cujusvis conatus et vires desuperet dictus Dominus
Willielmus Allexander plerosque subditorum nostrorum ad ibidem periclitandum
commovit ac presertim dilectum nostrum Dominum Robertum Gordoun de Loch-
invar militem qui rogatu prefati Domini Willielmi magnum opus subiturus mag-
nosque sumptus et expensas in dicta periclitatione impensurus est in quorum
sumptuum et expensarum compensationem per contractum et appunctuamentum
inter memoratum Dominum Willielmum Allexander de Menstri militem ab una et
prefatum Dominum Robertum Gordoun de Lochinvar militem pro seipso ac onus
in se suscipientem pro Roberto Gordoun ejus filio legitimo secundo genito ab altera
partibus initum et confectum de data apud Edinburgum et
vigesimo secundo et diebus Septembris et
anno Domini millesimo sexcentesimo vigesimo primo predictus Dominus Willielmus
Alexander ad concurrendum cum prenominato Domino Roberto Gordoun seipsum
astrinxit et obligavit pro acquisitione et procuracione in et ad favorem dicti
Roberto Gordoun heredum suorum et assignatorum hujus presentis infeofamenti
illius partis et portionis dicti dominii et baronie Nove Scotie in America postea
modo subsequenti nominate prout in dicto contractu et appunctuamento de data pre-
scripta latius continetur NOS igitur cum avisamento et consensu prefidelis et predi-
lecti nostri consanguinei et consilarii Joannis Marrie comitis Domini Erskene et
Gareoche &c. principalis nostri thesaurarii computorum rotulatoris collectoris

novarumque nostrarum augmentationum dicti regni nostri Scotie thesaurarii ac etiam cum avisamento et consensu reliquorum Dominorum nostri secreti consilii ejusdem regni nostri nostrorum commissionariorum dedimus concessimus et disposuimus tenoreque presentis carte nostre damus concedimus et disponimus prefato Roberto Gordoun heredibus suis et assignatis hereditarie totam et integram illam partem et portionem predicti dominii et baronie Nove Scotie bondatam ut sequitur videlicet Incipiendo a capite seu promontorio nomine de Caip Brettoun noto et appellato et inde pergendo versus occidentem per oras maritimas insule seu insularum de Caip Brettoun ad stationem navium fretum fluvium aut scaturiginem de Campseaw et ad mediam partem ejusdem que dictas oras maritimas et insulas de Caip Brettoun a continenti regionis Suriquorum (que Nove Scotie provincia est) dividere supponitur ac inde pergendo per mediam partem dictæ scaturiginis freti aut fluvii versus septentrionem ad stationem navium Chaleur mediculleum¹ ejusdem perpetuo tenendo et deinceps ad voraginem sive magnum fluvium de Canada relinquendo insulas Cape Brettoun predicto pertinentes a dextra et oras maritimas ex boreali parte continentis Nove Scotie ubi stationes navium de Chaleur et Gaspie jacent a sinistra et deinceps versus septentrionem et orientem ad regionem terre nove vulgo Newfoundland et ad caput Ray partem ejusdem et infra decem leucas ejusdem et ab hinc pergendo versus meridiem et occidentem ad caput et promontorium de Caipse Brettoun predictum ubi perambulatio incepit et sex leucas a continenti ad mare ab ulla parte predictarum terrarum infra borealem et australem partes limitum earundem inclusum aut eisdem pertinens aut in dicto contractu contentum inter Badischaleur et portum seu introitum scaturiginis predictæ de Campseaw aut juxta eandem ex boreali australi et orientali partibus esse reputatum Quequidem pars et portio dicti dominii et baronie Nove Scotie omni tempore affuturo BARONIA DE GALLOWAY in Nova Scotia in America nuncupabitur et nominabitur Quam etiam prefatus Robertus sui que predicti sicuti ipsum expedientissimum videbitur in partes dividend easdem nominibus suis distinguant unacum omnibus fodinis tam regalibus auri et argenti quam aliis fodinis ferri plumbi cupri stanni æris ac aliis mineralibus quibuscunque cum potestate effodiendi aut de terra effodere et extrahere causandi purificandi et repurgandi eadem in suos proprios usus aliosve usus quoscunque convertendi et utendi sicuti dicto Roberto Gordoun heredibus suis et assignatis vel iis quos suo loco in dictis terris stabilire ipsum contigerit visum fuerit RESERVANDO solummodo nobis et successoribus nostris decimam partem metalli vulgo Oore auri et argenti quod e terra imposterum effodietur aut lucrabitur Relinquendo

¹ This word stands in the Reg. *meditulleū* or *mediculleū*.—i. e. *meditulleum* or *mediculleum*; probably it should be *medulleum*. The boundary evidently runs northward through the gulf or strait of *Canso*, and then westward through Northumberland strait to the Bay of *Chaleurs*.

prenominato Roberto suisque predictis quodeunque ex aliis metallis cupri chalybis
 ferri stanni plumbi aut aliorum mineralium nos vel successores nostri exigere
 possumus ut eo facilius magnos sumptus in extrahendis metallis tollerare posset
 unacum omnibus margaritis vulgo *pearlis* ac lapidibus preciosis lapicidinis sylvis
 virgultis mossis marresis lacubus aquis piscationibus tam in aquis dulcibus quam
 in salsis tam regalium quam aliorum piscium venatione aucupatione commoditati-
 bus et hereditamentis quibuscunque unacum plenarie potestate privilegio et jurisdic-
 tione libere regalitatis capelle et cancellarie imperpetuum cumque donatione et jure
 patronatus ecclesiasticarum capellaniarum et beneficiorum cum tenentibus tenandriis
 et liberatenentibus servitiis earundem unacum officiis admiralitatis et justiciarie infra
 omnes bondas respective supra mentionatas una etiam cum potestate civitates liberos
 burgos liberos portus villas et burgos baronie erigendi ac fora et nundinas infra
 bondas terrarum et baronie predictarum constituendi curias justiciarie et admiralitatis
 infra limites dictarum terrarum fluviorum portuum et marium tenendi una etiam cum
 potestate imponendi levandi et recipiendi omnia telonia custumas anchoragia alias-
 que dictorum burgorum fororum nundinarum et liberorum portuum devoriarum eisdem-
 que fruendi et gaudendi adeo libere in omnibus respectibus sicuti quivis baro major
 aut minor in hoc regno nostro Scotie gavisus est aut gaudere poterit quovis tempore
 preterito aut futuro cum omnibus aliis privilegiis prerogativis dignitatibus immunita-
 tibus casualitatibus proficiis et devoriis ad predictam baroniam maria et bondas ejus-
 dem quovismodo spectantibus et pertinentibus et que nos ipsi dare vel concedere pos-
 sumus in adeo libera et ampla forma sicuti nos aut aliquis nostrorum progenitorum ali-
 quas alias literas cartas patentes infeofamenta donationes aut diplomata concesserunt
 cuivis subdito nostro cujuscunque qualitatibus aut gradus aut cuivis societati et commu-
 nitati periclitanti aut tales colonias in quascunque partes extraneas deducendi ter-
 rasve extraneas investigandi ac in tam libera et ampla forma sicuti eadem hac pre-
 senti carta nostra insererentur cum plena potestate prefato Roberto Gordoun suisque
 predictis gubernandi regendi et puniendi omnes nostros subditos quos sub mandato
 dicti Roberti ad dictam partem et portionem domini et baronie Nove Scotie pre-
 dicti profiscisci aut eandem habitare contigerit aut qui in aliqua parte ejusdem
 negotiabuntur et remanebunt et stabiliendi ejusmodi leges statuta constitutiones
 directiones instructiones formas et cerimonias regiminum et magistratuum infra
 dictas bondas sicuti prefato Roberto ejusque predictis pro gubernatione dicte regionis
 et ejusdem incolarum in omnibus causis criminalibus et civilibus visum fuerit ac
 easdem leges regimina formas et ceremonias alterandi et mutandi quoties sibi
 suisque predictis pro bono et commodo dicte regionis placuerit. Et tamen quod
 dicte leges legibus hujus regni nostri Scotie quamvis mutentur et emendentur sint con-
 cordes. Ac etiam quod prefatus Robertus G. et successores sui et subjecti et
 obediens legibus tam ecclesiasticis quam civilibus per nos aut successores aliosve

potestatem a nobis habentes statuendis pro gubernatione dicti dominii et baronie de Galloway in Nova Scotia tam ecclesiasticarum quam communitatum ejusdem nostrorumve subditorum ibidem remanentium ac aliorum quovis tempore futuro eo proficiscentium et frequentantium Et ut viris honesto loco natis sese suosque expeditionem conferant in et ad colonio plantationem in predicta baronia de Galloway faciendam et stabiliendam addatur animus nos pro nobis nostrisque successoribus cum avisamento et consensu predicto tenore presentis carte nostre damus et concedimus liberam et plenariam potestatem prefato Roberto Gordoun suisque predictis approbandi conferendi et consignandi iis eorumque alicui aut aliis quos cum ipso Roberto suisque predictis pactiones vel contractus facere pro eisdem contigerit sub subscriptione sua et sigillo suorumve predictorum aliquam portionem seu portiones terrarum portuum navium stationum fluviorum aut alicujus partis predictae baronie de Galloway omnium etiam generum machinas artes facultates et scientias erigendi aut easdem coercendi in toto vel in parte vel qualibet alia mensura sicuti ipsis pro bono ipsorum expedientissimum videbitur ejusmodi etiam officia titulos jura et potestates dandi concedendi et attribuendi ac tales capitaneos officarios ballivos gubernatores clericos omnesque alios regalitatum baroniarum et burgorum officarios aliosque ministros constituendi et designandi pro administratione justicie infra bondas predictae baronie aut in via dum eo per mare proficiscuntur et inde rediunt sicuti ei necessarium videbitur secundum qualitates conditiones et personarum merita quas in aliqua coloniarum dictae baronie aut aliqua ejusdem parte habitare contigerit aut qui ipsorum fortunas aut bona pro commodo et incremento ejusdem in ista expeditione periculo committent ac eosdem ab officio removendi alterandi et mutandi prout ei suisque predictis expediens videbitur **RESERVANDO** tamen nostro fideli et predilecto consiliario Domino Willelmo Alexander militi nostro in predicta baronia locumtenenti hereditibus suis et assignatis de predictis terris et bonis de Cape Brettoun sive baronia de Galloway prescripta et ejusdem limitibus insulam seu talem partem continentis dictae insule seu insularum de Cape Brettoun predictarum que littoribus terre nove proxime adjacent in optione prefati Domini Willelmi Allexander suorumque predictorum Proviso tamen quod viginti quinque miliaria mensura Scotie in circuitu non excedant cum integris privilegiis officiis jurisdictionibus libertatibus et immunitatibus infra bondas predictae insule aut partem continentis jacentibus sicuti nos eadem per patentes nostras literas sub nostro magno sigillo regni nostri Scotie predicti Domino Willelmo hereditibus suis et assignatis perprius concessimus Et licet omnes ejusmodi contractus inter dictum Robertum Gordoun suosque predictos et dictos periclitatores per periclitationem et populorum transportationem cum ipsorum bonis et fortunis ad diem et locum prius statutos perficiantur et ipsi cum suis populis bonis et fortunis ad quamlibet partem predictae baronie de Galloway coloniam deducendi et ibidem remanendi gratia appellent Et nihilominus postea

vel omnino predictam baroniam de Galloway in Nova Scotia et ejusdem continia sine licentia prefati Roberti suorumve predictorum vel eorum deputationum aut societatem suam et coloniam predictam ubi primum combinati et conjuncti fuerant derelinquent et deserent et ad agrestes indigenas et in locis remotis et desertis sese conferent quod tunc omnes terras prius iis concessas aut concedendas omniaque bona et fortunas infra quamlibet partem bondarum predictarum forisfactura perdent et amittent ac prefato Roberto Gordoun suisque predictis licitum erit ad fiscum redigere et recognoscere omnes ejusmodi terras bona et fortunas eademque omnia iis quovismodo spectantia et pertinentia recipere et possidere et in suum suorumque predictorum particulares usus convertere Et cum maxime necessarium erit ut omnes dilecti nostri subditi quotquot dictam baroniam de Galloway incolent in timore omnipotentis Dei et vero ejus cultu simul vivant cunctis viribus nitentes christianam religionem ibidem stabilire et pacem et quietem civilem cum nativis incolis et agrestibus aboriginibus illarum terrarum colere unde ipsi ipsorumque quilibet mercimonia ibi exercentes tuti et cum majori oblectamento et commoditate ea que magno labore et periculo acquirant possidere possint SIMILITER nos pro nobis nostrisque successoribus volumus nobisque beneplacitum est ac per presentis carte nostre tenorem damus et concedimus prefato Roberto Gordoun suisque predictis eorumque deputatis vel aliis hujusmodi gubernatoribus officiariis et ministris quod ipsi constituent liberam et absolutam potestatem pacem amicitias et affinitatem foedera mutua colloquia et communicationem cum agrestibus aboriginibus et eorum principibus vel quibuscunque aliis regimen et potestatem in ipsos habentibus tractandi et contrahendi hujusmodi foedera et affinitates que ipsi vel sui predicti cum iis contrahant alendi observandi et magna cura retinendi modo ipsi sylvestres foedera illa ex sua parte fideliter observent quod nisi fiat arma contra ipsos sumendi eosque in talem ordinem redigendi sicuti dicto Roberto suisque predictis eorumve deputatis pro honore obedientia et Dei servitio nostreque auctoritatis inter ipsos stabilimento protectione et conservatione expediens videbitur cum potestate dicto Roberto Gordoun suisque predictis per ipsos vel eorum deputatos substitutos et assignatos pro ipsorum defensione et tutela omni tempore omnibusque justis occasionebus imposterum aggrediendi ex inopinato invadendi expellendi et armis repellendi tam per mare quam terram omnibus modis omnes et singulos qui sine licentia speciali prefati Roberti Gordoun ejusque predictorum dictam baroniam de Galloway in Nova Scotia vel quamlibet ejusdem partem inhabitare aut ibidem mercaturam facere conabuntur et similiter omnes alios quoscunque qui aliquid damni detrementi destructionis lesionis vel invasionis contra dictam baroniam ejusdemque incolas inferre presumant Ac pro meliori ipsorum adversus ejusmodi personas munitione et fortificatione prenominato Roberto Gordoun suisque predictis eorumque deputatis factoribus et assignatis licitum erit periclitantibus et ejusdem incolis contributiones levare ac

etiam omnibus nostris subditis infra dietos limites baronie de Galloway predictæ inhabitantibus et mercimonia ibidem exercentibus pro meliori copiarum eidem necessariarum supplemento imperare eosque per proclamationes vel quemvis alium ordinem (ejusmodi temporibus et locis sicuti prefato Roberto ejusque predictis visum fuerit) in unum cogere et convocare Ac pro majori populi et plantationis coloniarum in dicta baronia incremento cum plenaria potestate privilegio et libertate supradicto Roberto Gordoun ejusque predictis per ipsos eorumve substitutos per quevis maria sua nostris insignibus navigandi tantis onere munitione viris et victualibus oneratis et instructis sicuti quovis tempore et quoties ipsis videbitur expediens emitte possunt et a quovis dominiorum seu regnorum nostrorum omnes ejuscunque qualitatibus status aut gradus personas subditos nostros aut qui imperio nostro subdere ad iter illud suscipiendum voluerint cum ipsorum jumentis equis equabus bobus ovibus bonis et fortunis munitionibus machinis majoribus armis et instrumentis militariis quotquot voluerint aliisque commoditatibus et rebus necessariis pro usu colonias deducendi ac cum nativis incolis dictæ baronie de Galloway aliisque qui cum ipsis coloniarum ductoribus ibidem mercimonia exercebunt mutuo commercio ad dictam baroniam de Galloway transportandi et omnes commoditates et merces que ipsis necessarie videbuntur in regnum nostrum Scotiæ sine alicujus taxationis custumæ aut impositionis pro eisdem solutione nobis custumariis nostris eorumve deputatis inde portandi eos ab eisdem ipsorumque in hac parte officiis pro spatio septem annorum diem date presentium sequentium inhibendo Quorumquidem solam commoditatem per spatium tredecim annorum imposterum libere concessimus et disposuimus tenoreque presentis carte nostre concedimus et disponimus prefato Roberto Gordoun ejusque predictis secundum proportionem quinque de centum postea mentionatam Et post tredecim illos annos finitos nobis heredibus et successionibus nostris licitum erit ab omnibus bonis et mercimoniis que ex hoc regno nostro Scotiæ ad baroniam predictam exportabuntur vel inde ad quosvis portus dicti regni nostri Scotiæ per perfatum Robertum Gordoun ejusque predictos importabuntur quinque libras tantummodo de centum secundum antiquam negotiandi consuetudinem sine aliqua alia impositione taxatione custumæ aut devoria ab ipsis imperpetuum levanda Quaquidem summa quinque librarum de centum per dictum Robertum ejusque predictos nostris officiariis ad hunc affectum constitutis soluta exinde prefato Roberto suisque predictis licitum et liberum erit eadem bona e hoc regno nostro Scotiæ in quasvis alias partes vel regiones extraneas sine alicujus alterius custumæ taxationis vel devorie solutione nobis vel heredibus et successoribus nostris aliisque quibuscunque transportare et avehere Proviso tamen quod dicta bona infra spatium tredecim mensium post ipsorum in quovis hujus regni nostri portu appulsionem navi rursus imponantur dando et concedendo absolutam et plenariam potestatem prefato Roberto suisque predictis ab omnibus nostris subditis qui colonias deducere

mercaturam facere aut ad dictam baroniam de Galloway et ad eadem navigare voluerint preter dictam summam nobis solvi statutam pro bonis et mercibus ut predictur quinque libras de centum vel ratione exportationis ex hoc regno nostro Scotie ad dictam baroniam de Galloway vel importationis a dicta baronia ad hoc regnum nostrum Scotie predictum in ipsius suorumque prescriptorum proprios usus sumendi levandi et recipiendi et similiter de omnibus bonis et mercimoniis que per nostros subditos coloniarum deductores negotiatores et navigatores a dicta baronia de Galloway ad quevis nostra dominia aut alia quevis loca exportabuntur vel a regnis nostris et aliis locis ad dictam baroniam importabuntur preter et ultra summam nobis destinatam quinque libras de centum ac etiam de bonis et mercimoniis omnium extraneorum aliorumque sub nostro imperio minime existentium que vel de predicta baronia de Galloway exportabuntur vel ad eandem importabuntur preter et ultra summam nobis destinatam decem libras de centum in dicti Roberti suorumque predictorum proprios usus per tales ministros officarios et substitutos eorumve substitutos factores et assignatos quales ipsi constituent et designabunt levandi recipiendi et colligendi Et pro meliori prefati Roberti ejusque predictorum aliorumque omnium dilectorum nostrorum subditorum qui dictam baroniam de Galloway inhabitare vel ibidem mercaturam exercere voluerint et generaliter omnium aliorum qui ibidem nostre authoritati et regie potestati sese subdere minime gravabuntur securitate et commoditate nos volumus et damus licentiam prefato Roberto Gordoun ejusque predictis unum aut plura presidia propugnacula loca fortia munitoria turres excubitorias asyla hospitia aliaque edificia cum portubus et navium stationibus edificare seu edificari causandi navesque bellicas extruendi easdemque pro dictorum locorum defensione collocandi sicuti dicto Roberto suisque predictis pro dicto conamine perficiendo utile et necessarium videbitur et pro eorum protectione presidia ponendi et ultra et supra ea que in hac presenti carta nostra mentionata sunt et generaliter omnia faciendi que pro dominatione populi frequentatione inhabitatione preservatione et gubernatione dicte baronie de Galloway et omnium orarum et pomeriorum infra precinctum ejusdem et pertinentiarum et dependentiarum ejusdem sub nostro nomine et authoritate quecumque legitime fieri possunt exceptis iis que ad officium generalis nostri locumtenentis totius et integri dicti domini et baronie in America spectant quod officium cum privilegiis et libertatibus eidem pertinentibus predicto Domino Willelmo Alexander ejusque predictis expresse reservatur PRETEREA nos mandamus et ordinamus strictissimeque precipimus omnibus officiariis justiciariis et subditis ad loca predicta sese conferentibus ut sese accommodent et predicto Roberto Gordoun ejusque predictis in omnibus et singulis predictis eorum substantiis circumstantiis et dependentiis attendant et obediant sub pena contumacie et rebellionis Et quia fieri potest quod sunt quidam licentiosi et dissoluti ad dictam baroniam de Galloway transportandi qui forsan dicto Roberto Gordoun iisque

[ejusque] predictis renuent et resistent NOBIS IGITUR beneplacitum est quod omnes vicecomites senescalli ballivi regalitatum pacis justiciarii prepositi et ballivi burgorum eorumque officarii et justicie ministri quicunque prefato Roberto ipsius deputatis aliisque predictis in omnibus et singulis rebus quas ad effectum prescriptum intendunt aut efficient similiter ac eodem modo ac si nostrum speciale warrantum ad hunc effectum scriptum haberent assistant auxilientur protegant et suppetias ferant IN SUPER per presentis carte nostre tenorem declaramus omnibus christianis regibus principibus et statibus quod si aliquis vel aliqui qui coloniam dicte baronie de Galloway vel quamvis aliam imposterum incolet vel aliqui alii sub eorum licentia de mandato quovis tempore futuro piraticam exercentes per mare vel terram bona aliqujus diripuerint et abstulerint vel aliquod injustum vel illegitimum facinus hostiliter contra aliquos nostros nostrorumve heredum vel successorum aut aliorum regum principum aut statuum nobiscum et heredibus nostris confederatorum subditos patnaverint quod tali injuria sic oblata ac justa querela desuper mota per aliquem regem principem gubernatorem statum vel eorum subditos predictos nos nostri heredes et successores publicas proclamationes fieri curabimus infra aliquam partem regni nostri Scotie ad hunc effectum magis commodam ut dictus predador vel predatores qui tales rapinas commiserint stato tempore per dictas proclamationes limitando quecumque bona sic ablata plenarie restituant et pro dictis injuriis omnino satisfaciant ita ut dicti principes alique sic conquerentes sese plenarie satisfactos et contentos esse reputent Et si aliquis vel aliqui talia facinora patrantes bona ablata restituere aut congruam et condignam satisfactionem infra ejusmodi tempus limitandum facere recusaverint quod tunc nostra protectione et tutela omnino imposterum privabuntur et cunctis principibus aliisque predictis licitum erit ejusmodi predatores eorumve singulos hostiliter prosequi et invadere Et licet neminem nobilem aut generosum de hac sua patria sine permissione et licentia nostra decedere statutum sit nihilominus volumus hoc presens diploma sufficientem fore licentiam et warrantum omnibus qui expeditionem hanc suscipient nisi fuerint lese majestatis rei vel aliquo speciali mandato inhibiti AC ETIAM per presentis carte nostre tenorem volumus et declaramus quod nemo versus dictam baroniam de Galloway de hac sua patria decedere permittatur nisi qui juramentum suprematatis nostre prius susceperint ad quem effectum nos per presentes damus et concedimus plenariam potestatem et licentiam prefato Roberto Gordoun suisque predictis vel privilegiorum Nove Scotie conservatoribus eorumve deputatis idem hoc juramentum omnibus quos versus illam coloniam expeditionem facere et ibidem remanere contigerit requirendi et exhibendi PRETEREA nos cum avisamento predicto pro nobis et successoribus nostris declaramus decernimus et ordinamus quod omnes nostri subditi qui ad dictam baroniam de Galloway proficiscuntur aut eam incolent omnesque eorum liberi et posteritas quos infra ejusdem limites nasci contigerit et similiter omnes qui ibidem

periclitabuntur omnes libertates immunitates et privilegia liberorum et naturalium subditorum dicti regni nostri Scotie aut quorumvis aliorum nostrorum dominiorum possidebunt et gaudebunt ac si ibidem nati fuissent Et PRETEREA nos pro nobis et successoribus nostris damus et concedimus prefato Roberto Gordoun et suis predictis eorumve successoribus pro faciliiori et meliori commercio et coemptione bonam et usulem monetam inter incolas stabiliendi et cudere causandi ex quovis metallo iis modo et forma quos ipsi limitabunt et designabunt ac etiam volumus si que questiones aut dubia super interpretatione aut constructione alicujus clause in hac presenti carta nostra occurrant ea omnia in amplissima et optima forma in favorem dicti Roberti Gordoun ejusque prescriptorum accipi et interpretari INSUPER nos ex nostris certa scientia proprioque motu autoritate regali et regia potestate fecimus univimus annexavimus creavimus et incorporavimus tenoreque presentis carte nostre facimus univimus annexamus creamus et incorporamus totam et integram dictam partem et portionem dicti domini et baronie Nove Scotie in America cum omnibus fodinis auri et argenti plumbi cupri chalybis stanni aeris ferri aliisque fodinis et mineralibus quibuscunque cum omnibus margaritis lapidibus preciosis lapicidinis sylvis virgultis mossis marresis lacubus aquis piscationibus tam in aquis dulcibus quam salsis tam regalium quam aliorum piscium civitatibus liberis burgis liberis portubus urbibus baroniarum burgis portubus marinis anchoragiis machinis molendinis officiis et jurisdictionibus omnibusque aliis generaliter et particulariter supra expressis in unam integram et liberam baroniam baroniam de Galloway omni tempore affuturo nuncupandam Volumusque et concedimus ac pro nobis et successoribus nostris decernimus et ordinamus quod unica sasina nunc per prefatum Robertum Gordoun heredes suos et assignatos predictos omni tempore futuro super fundo alicujus partis predictae partis et portionis dicti domini et baronie Nove Scotie in America capienda stabit et sufficiens erit sasina pro tota et integra predicta parte et portione dicti domini et baronie Nove Scotie cum omnibus partibus pendiculis privilegiis casualitatibus libertatibus et immunitatibus ejusdem supra mentionis absque aliqua alia speciali aut particulari sasina per ipsum suosque predictos apud aliquem aliam partem seu locum ejusdem capienda penes quam sasina omniaque inde sequuta aut que desuper sequi possunt nos cum avisamento et consensu prescripto pro nobis et successoribus nostris dispensavimus tenoreque presentis carte nostre dispensamus imperpetuum modo subtus specificato TENENDAM ET HABENDAM totam et integram predictam partem et portionem predicti domini et baronie Nove Scotie in America nunc unitam creatam et incorporatam in unam integram et liberam baroniam baroniam de Galloway ut predictur nuncupandam cum omnibus fodinis auri et argenti plumbi cupri chalybis stanni aeris ferri aliisque fodinis et mineralibus quibuscunque cum omnibus margaritis lapidibus preciosis lapicidinis sylvis virgultis mossis marresis lacubus aquis piscationibus tam in aquis dulcibus quam salsis tam regalium quam

aliorum piscium civitatibus liberis burgis liberis portubus urbibus baroniarum burgis portubus marinis anchoragiis machinis molendinis officiis et jurisdictionibus omnibusque aliis generaliter et particulariter supra expressis ac cum omnibus aliis privilegiis immunitatibus casualitatibus aliisque supramentionatis sepefato Roberto Gordoun heredibus suis et assignatis predictis nobis et successoribus nostris in libera baronia et regalitate imperpetuum modo supra expresso per omnes rectas metas suas antiquas et divisas prout jacent in longitudine et latitudine in domibus edificiis boscis planis moris marresiiis viis semitis aquis stagnis rivolis pratis pascuis et pasturis molendinis multuris et eorum sequelis aucupationibus venationibus piscationibus petariis turbariis carbonibus carbonariis cuniculis cuniculariis columbis columbariis fabrilibus brasinis brueriis et genestis sylvis nemoribus et virgultis lignis tignis lapideis lapide et calce cum curiis et earum exitibus herezeldis bluduitis et mulierum merchetis ac cum furca fossa sok sak thole them infangtheiff outfangtheiff wrak wair wraith vert et vennessoun pit et gallowis ac cum omnibus aliis et singulis libertatibus commoditatibus proficuis asiamentis ac justis suis pertinentiis quibuscunque tam non nominatis quam nominatis tam subtus terra quam supra terram procul et prope ad predictas terras et baroniam aliaque predicta cum pertinentiis spectantibus seu juste spectare valentibus quomodolibet in futurum libere quiete plenarie integre honorifice bene et in pace sine aliquo revocatione impedimento aut obstaculo quocunque SOLVENDO inde annuatim prefatus Robertus Gordoun ejusque predicti nobis et successoribus nostris unum denarium monete Scotie super solo dictarum terrarum et baronie de Galloway ad festum Nativitatis Christi nomine albe firme si petatur tantum Et quia tentione dicte baronie de Galloway et alba firma predicta deficiente tempestivo et legitimo introitu cujusvis heredis aut heredum prefati Roberti Gordoun vel sibi in eisdem succedentium (quod difficulter ab iis prestari potest ob longinquam distantiam dictarum terrarum ab hoc regno nostro) eedem terre et baronia predicta ratione nonintroitus in manibus nostris nostrorumve successorum devenient et earundem commoditas et proficua nobis et successoribus nostris redundabunt usque ad legitimum legitimi heredis introitum Et nos nolentes dictam baroniam quovis tempore futuro in nonintroitum cadere neque dictum Robertum ejusque predictos proficuis et emolumentis ejusdem baronie eatenus frustrari Idcirco nos cum avisamento predicto cum dicto nonintroitu quodocunque contigerit dispensavimus ac pro nobis et successoribus nostris tenore presentis carte nostre dispensamus AC ETIAM renunciavimus et exoneravimus tenoreque presentis carte nostre cum consensu prescripto renunciavimus [et] exoneramus dictum Robertum Gordoun ejusque predictos de predicto nonintroitu terrarum et baronie de Galloway prescriptarum quodocunque in manibus nostris devenire contigerit cum omnibus proficuis earundem ac omnibus que desuper sequi possunt pro nunc et imperpetuum Proviso tamen quod prefatus Robertus heredes sui et assignati predicti infra spatium septem annorum post

decessum et obitum suorum predecessorum aut introitum ad possessionem dictarum terrarum aliorumque predictorum per ipsos vel eorum legitimos procuratores ad hunc effectum potestatem habentes nobis successoribus nostris pareant seu homagium prae-stent et ad dictas terras et baroniam aliaque predicta intrentur et secundum leges et statuta dicti regni nostri Scotie per nos recipiantur DENIQUE nos pro nobis et successoribus nostris volumus decernimus et ordinamus presentem hanc nostram cartam et infeofamentum suprascriptum predictarum terrarum et baronie de Galloway privilegiorum et libertatum earundem in proximo parlamento dicti regni nostri Scotie cum contigerit ratificare approbare et confirmare ut vim et efficaciam decreti et acti inde habeat penes quas nos pro nobis et successoribus nostris declaramus hanc presentem cartam nostram sufficiens fore warrantum et in verbo Principis eandem ratificare et approbare promittimus ac etiam alterare renovare et eandem in amplissimam formam augere et extendere quoties dicto Roberto suisque predictis necessarium et expediens videbitur INSUPER volumus mandamus et precipimus dilectis nostris

vicecomitibus nostris in hac parte specialiter constitutis quatenus post hujus carte nostre sub nostro magno sigillo aspectum statum et sasinam actualem et realem prefato Roberto Gordoun suisque predictis eorumve actornato vel actornatis terrarum et baronie de Galloway aliorumque predictorum cum omnibus libertatibus privilegiis immunitatibus aliisque supra expressis sine dilatione tradant et concedant quam sasinam nos per presentis carte nostre tenorem tam legitimam et ordinariam fore declaramus quam si preceptum sub testimonio magni nostri sigilli in amplissima forma cum omnibus clausulis requisitis ad hunc effectum predictum haberent penes quod nos pro nobis et successoribus nostris imperpetuum dispensamus IN CUJUS REI testimonium huic presenti carte nostre magnum sigillum nostrum apponi precepimus TESTIBUS predilectis nostris consanguineis et consiliariis Jacobo Marchione de Hammiltoun Comite de Arrania Domino Even &c. Georgio Mariscalli Comite Domino Keith &c. regni nostri mariscallo Alexandro Comite de Dumfermling Domino Fyvie et Urquhart &c. nostro cancellario Thoma Comite de Melrois Domino Binning et Byris &c. nostro secretario dilectis nostris familiaribus consiliariis Dominis Richardo Cokburne juniore de Clerkingtoun nostri secreti sigilli custode Georgio Hay de Kinfawinis nostrorum rotulorum registri ac consilii clerico Joanne Cokburne de Ormestoun nostre Justiciarie clerico et Joanne Scott de Scottistarvet nostre cancellarie directore militibus Apud Theobaldi octavo die mensis Novembris anno Domini millesimo sexcentesimo vigesimo primo regnorumque nostrorum annis quinquagesimo quarto et decimo nono.

CARTA DOMINI WILLELMI ALEXANDER DE MENSTRIE
MILITIS TERRARUM BARONIE ET DOMINII NOVE
SCOTIE IN AMERICA. 12 JULII 1625.

CAROLUS Dei gratia Magnae Britanniae Franciae et Hiberniae Rex Fideique Defensor Omnibus probis hominibus totius terrae suae clericis et laicis salutem SCIATIS nos semper ad quamlibet quae ad decus et emolumentum regni nostri Scotiae spectaret occasionem amplectendum fuisse intentos nullamque aut faciliorem aut magis innoxiam acquisitionem censere quam quae in exteris et incultis regnis ubi vitae et victui suppetunt commoda novis deducendis coloniis facta sit praesertim si vel ipsa regna cultoribus prius vacua vel ab infidelibus quos ad Christianam converti fidem ad Dei gloriam interest plurimum inessata fuerunt sed cum et alia nonnulla regna et haec non ita pridem nostra Anglia laudabiliter sua nomina novis terris acquisitis et a se subactis indiderunt quam numerosa et frequens Divino beneficio haec gens hac tempestate sit nobiscum reputantes quamque honesto aliquo et utili cultu eam studiose exerceri ne in deteriora ex ignavia et otio prolatur expedit plerosque in novam deducendos regionem quam coloniis compleant operae praetium duximus qui et animi promptitudine et alacritate corporumque robore et viribus quibuscunque difficultatibus si qui alii mortalium uspiam se audeant opponere hunc conatum huic regno maxime idoneum inde arbitramur quod virorum tantummodo et mulierum jumentorum et frumenti non etiam pecuniae transvectionem postulat neque incommodum ex ipsius regni mercibus retributionem hoc tempore eam negotiatio adeo imminuta sit possit reponere Hisce de causis sicuti et propter bonam fidei et gratum dilecti nostri consilarii Domini Willielmi Alexander equitis sevitium nobis praestitum et praestandum qui propriis impensis ex nostratibus primus externam hanc coloniam ducendam conatus sit diversasque terras infradesignatis limitibus circumscriptas incolendas expetiverit Nos TERRAE ex regali nostra ad Christianam religionem propagandam et ad opulentiam prosperitatem pacemque naturalium nostrorum subditorum dicti regni nostri Scotiae acquirendam cura sicuti alii principes extranei in talibus casibus hactenus fecerunt cum avisamento et consensu praedilecti nostri consanguinei et consilarii Joannis Comitis de Mar Domini Erskene et Garioche &c. summi nostri thesaurarii computorum rotulatoris collectoris ac thesaurarii novarum nostrarum augmentationum hujus regni nostri Scotiae ac reliquorum dominorum nostrorum commissionariorum ejusdem regni nostri

Dedimus concessimus et disposuimus tenoreque praesentis cartae nostrae damus concedimus et disponimus praefato Domino Willielmo Alexander haeredibus suis vel assignatis quibuscunque haereditarie OMNES et singulas terras continentis ac insulas situatas et jacentes in America juxta caput seu promontorium communiter *Cap de Sable* appellatum jacens prope latitudinem quadraginta trium graduum aut eo circa ab equinoxiali linea versus septentrionem a quo promontorio versus litus maris tendendo ad occidentem ad stationem navium Sanctae Mariae vulgo *St Maries Bay* et deinceps versus septentrionem per directam lineam introitum sive ostium magnae illius stationis navium transeundo quae excurrit in terrae orientalem plagam inter regiones *Suriquorum* et *Etecheminorum* vulgo *Suriquois* et *Etechemines* ad fluvium vulgo Sanctae Crucis appellatum et ad scaturiginem remotissimam sive fontem ex occidentali parte ejusdem qui se primum praedicto fluvio immiscet unde per imaginariam directam lineam quae pergere per terram seu currere versus septentrionem concipietur ad proximam navium stationem in fluvium vel scaturiginem in magno fluvio de Cannada sese exonerantem et ab eo pergendo versus orientem per maris oras littorales ejusdem fluvii de Cannada ad fluvium stationem navium portum aut litus communiter nomine de *Gathepe* vel *Gaspie* notum et appellatum et deinceps versus euronotum ad insulas *Bacalaos* vel *Cap Britton* vocatas reliquendo easdem insulas a dextra et voraginem dicti magni fluvii de Cannada sive magnae stationis navium et terras de *Newfundland* cum insulis ad easdem terras pertinentibus a sinistra et deinceps ad caput sive promontorium de *Cap Britton* praedictum jacens prope latitudinem quadraginta quinque graduum aut eo circa et a dicto promontorio de *Cap Britton* versus meridiem et occidentem ad praedictum *Cap Sable* ubi incepit perambulatio includendo et comprehendendo intra dictas maris oras littorales ac earum circumferentias a mari ad mare omnes terras continentis cum fluminibus torrentibus sinubus litteribus insulis aut maribus jacentes prope aut infra sex leucas ad aliquam earundem partem ex occidentali boreali vel orientali partibus orarum littoralium et praecinctum earundem et ab euronoto (ubi jacet *Cap Britton*) ex australi parte ejusdem (ubi est *Cap de Sable*) omnia maria et insulas versus meridiem intra quadraginta leucas dictarum orarum littoralium earundem magnam insulam vulgariter appellatam *Ile de Sable* vel *Sablon* includendo jacentem versus *Carbane* vulgo *south-south-east* circa triginta leucas a dicto *Cap Britton* in mari et existentem in latitudine quadraginta quatuor graduum aut eo circa Quaequidem terrae praedictae omni tempore affuturo nomine NOVAE SCOTIAE IN AMERICA gaudebunt quas etiam praefatus Dominus Willielmus in partes et portiones sicut ei visum fuerit dividet eisdemque nomina pro beneplacito imponet Unacum omnibus fodinis tam regalibus auri et argenti quam aliis fodinis ferri plumbi cupri stanni aeris ac aliis mineralibus quibuscunque cum potes-

tate effodiendi et ex terra effodere causandi purificandi et repurgandi easdem ac convertendi ac utendi suo proprio usui aut aliis usibus quibuscunque sicuti dicto Domino Willielmo Alexander haeredibus suis et assignatis aut iis quos suo loco in dictis terris stabiliro ipsum contigerit visum fuerit **RESERVANDO** solummodo nobis et successoribus nostris decimam partem metalli vulgo *ure auri* et argenti quod ex terra imposterum effodietur aut lucrabitur Relinquendo dicto Domino Willielmo suisque praedictis quodeunque ex aliis metallis cupri chalybis ferri stanni plumbi aut aliorum mineralium nos vel successores nostri quovismodo exigere possumus ut eo facilius magnos sumptus in extrahendis praefatis metallis tolerare possint Unacum margaritis vulgo *pearle* ac lapidibus praeiosis quibuscunque aliis lapicidinis silvis virgultis mossis marresis lacubus aquis piscationibus tam in aqua salsa quam recenti tam regalium piscium quam aliorum venatione aucupatione commoditatibus et haereditamentis quibuscunque Unacum plenaria potestate privilegio et jurisdictione liberae regalitatis capellae et cancellariae imperpetuum cumque donatione et jure patronatus ecclesiarum capellaniarum et beneficiorum cum tenentibus tenandriis et liberetenentium servitiis earundem Unacum officiis justiciariae et admiralitatis respective infra omnes bondas respective supra mentionatas Una etiam cum potestate civitates liberos burgos liberos portus villas et burgos baroniae erigendi ac fora et nundinas infra bondas dictarum terrarum constituendi curias justiciariae et admiralitatis infra limites dictarum terrarum fluviorum portuum et marium tenendi Una etiam cum potestate imponendi levandi et recipiendi omnia tolonia custumas anchoragia aliasque dictorum burgorum fororum nundinarum et liberorum portuum devorias et eisdem possidendi et gaudendi adeo libere in omnibus respectibus sicuti quivis baro major vel minor in hoc regno nostro Scotiae gavisus est aut gaudere poterit quovis tempore praeterito vel futuro Cum omnibus aliis praerogativis privilegiis immunitatibus dignitatibus casualitatibus proficuis et devoriis ad dictas terras maria et bondas earundem spectantibus et pertinentibus Et quae nos ipsi dare et concedere possumus adeo libere et ampla forma sicuti nos aut aliquis nostrorum nobilium progenitorum aliquas cartas patentes literas infeofamenta donationes aut diplomata concesserunt cuivis nostro subdito cujuscunque gradus aut qualitatis cuivis societati aut communitati tales colonias in quascunque partes extraneas deducti aut terras extraneas investiganti in adeo libera et ampla forma sicuti eadem in hae praesenti carta nostra insererentur **FACIMUS ETIAM** constituimus et ordinamus dictum Dominum Willielmum Alexander haeredes suos et assignatos vel eorum deputatos nostros haereditarios locumtenentes generales ad repraesentandum nostram personam regalem tam per mare quam per terram in regionibus maris oris et finibus praedictis in petendo dictas terras quamdiu illic manserit ac redeundo ab eisdem ad gubernandum regendum puniendum et remittendum omnes nostros subditos quos

ad dictas terras ire aut easdem inhabitare contigerit aut qui negotiationem cum eisdem suscipiant vel in eisdem locis remanebunt ac eisdem ignoscendum et ad stabiliendum tales leges statuta constitutiones directiones instructiones formas gubernandi et magistratum caeremonias infra dictas bondas sicuti ipsi Domino Willielmo Alexander aut ejus praedictis ad gubernationem dictae regionis aut ejusdem incolarum in omnibus causis tam criminalibus quam civilibus visum fuerit et easdem leges regimina formas et caeremonias alterandum et mutandum quoties sibi vel suis praedictis pro bono et commodo dictae regionis placuerit ita ut dictae leges tam legibus dicti regni nostri Scotiae quam fieri possunt sint concordantes Volumus etiam ut in casu rebellionis aut seditionis legibus utatur militaribus adversus delinquentes vel imperio ipsius sese subtrahentes adeo libere sicuti aliquis locumtenens cujusvis regni nostri vel domini virtute officii locumtenentis habent vel habere possunt Excludendo omnes alios officarios hujus regni nostri Scotiae terrestres vel maritimos qui imposterum aliquid jurisclamei commoditatis autoritatis aut interesse in et ad dictas terras aut provinciam praedictam vel aliquam inibi jurisdictionem virtute alicujus praecedentis dispositionis aut diplomatis praetendere possunt Et ut viris honesto loco natis sese ad expeditionem istam subeundam et ad coloniae plantationem in dictis terris addatur animus nos pro nobis nostrisque haeredibus et successoribus cum avasamento et consensu praedicto virtute praesentis cartae nostrae damus et concedimus liberam et plenariam potestatem praefato Domino Willielmo Alexander suisque praedictis conferendi favores privilegia munia et honores in demerentes Cum plenaria potestate eisdem aut eorum alicui quos cum ipso Domino Willielmo suisque praedictis pactiones vel contractus facere pro eisdem terris contigerit sub subscriptione sua vel suorum praedictorum et sigillo inframentionato aliquam portionem seu portiones dictarum terrarum portuum navium stationum fluviorum aut praemissorum alicujus partis disponendi vel extradonandi Erigendi etiam omnium generum machinas artes vel scientias aut easdem exercendi in toto vel in parte sicuti ei pro bono ipsorum visum fuerit Dandi etiam et concedendi et attribuendi talia officia titulos jura et potestates constituendi et designandi tales capitaneos officarios balivos gubernatores omnesque alios regalitatis baroniae et burgi officarios clericos aliosque ministros pro administratione justitiae infra bondas dictarum terrarum aut in via dum terras istas petunt per mare et ab eisdem redeunt sicuti ei necessarium videbitur secundum qualitates conditiones et personarum merita quos in aliqua coloniarum dictae provinciae aut aliqua ejusdem parte habitare contigerit aut qui ipsorum bona et fortunas pro commodo et incremento ejusdem periculo committent et eosdem ab officio removendi alterandi et mutandi prout ei suisque praescriptis videbitur expediens Et quum hujusmodi conatus non sine magno labore et sumptibus fiunt magnamque pecuniae

largitionem requirant adeo ut privati cujusvis fortunas excedant et multorum suppetiis indigeant Ob quam causam dictus Dominus Willielmus Alexander suisque praescripti cum diversis nostris subditis aliisque pro particularibus periculationibus et susceptionibus ibidem qui forte cum eo suisque haeredibus assignatis vel deputatis pro terris piscationibus mercimoniis aut populi transportatione cum ipsorum pecoribus rebus et bonis versus dictam Novam Scotiam contractus inibunt Volumus ut quicunque tales contractus cum dicto Willielmo suisque praedictis sub ipsorum subscriptionibus et sigillis expedient limitando assignando et affigendo diem et locum pro personarum bonorum rerumque deliberatione in navim imponendorum sub forisfactura ejusdam monetae summae et eosdem contractus non perficient sed ipsum frustrabunt et in itinere designato ei nocebunt quod non solum dicto Domino Willielmo suisque praedictis poterit esse praejudicio et nocumento verum etiam nostrae tam laudabili intentioni obstat et detrimentum inferet tunc licitum erit dicto Domino Willielmo suisque praedictis vel eorum deputatis et conservatoribus infra mentionatis in eo casu sibi suisve praedictis quos ad hunc effectum substituet omnes tales summas monetae bona et res forisfactas per talium contractuum violationem assumere Quod ut facilius fiat et legum prolixitas evitetur dedimus et concessimus tenoreque praesentium damus et concedimus plenariam potestatem nostri consilii dominis ut eos in ordinem redigant et talium contractuum vel foederum violatores pro transportatione populorum factorum puniant Et licet omnes tales contractus inter dictum Dominum Willielmum suosque praedictos et praedictos periculatorum per periculationem et transportationem populorum cum ipsorum bonis et rebus ad statutum diem perficiantur et ipsi cum suis omnibus pecoribus et bonis ad littus illius provinciae animo coloniam ducendi et remanendi appellent et nihilominus postea vel omnino provinciam Novae Scotiae et ejusdem confinia sine licentia dicti Domini Willielmi suorumque praedictorum vel eorum deputatorum aut societatem et coloniam praedictam ubi primum combinati et conjuncti fuerant derelinquent et ad agrestes indigenas in locis remotis et desertis habitandum sese conferent quod tunc anintant et forisfacient omnes terras prius iis concessas omnia etiam bona infra omnes praedictas bondas licitumque erit praedicto Domino Willielmo suisque praescriptis eadem fisco applicare et easdem terras recognoscere eademque omnia ad ipsos vel eorum aliquem quovismodo spectantia possidere et suo peculiari usui suorumque praedictorum applicare et convertere Et ut omnes dilecti nostri subditi tam regnorum nostrorum et dominiorum quam alii extranei quos ad dictas terras aut aliquam earundem partem ad mercimonia contrahenda navigare contigerit melius sciant et obedientes sint potestati et authoritati per nos in praedictum fidelem nostrum consiliarum Dominum Willielmum Alexander suosque praedictos collatae in omnibus talibus commissionibus warrantis et contractibus quos quovis tempore futuro

faciet concedet et constituet pro decentiori et validiori constitutione officiariorum pro gubernatione dictae coloniae concessione terrarum et executione justitiae dictos inhabitantes periclitantes deputatos factores vel assignatos tangentes in aliqua dictarum terrarum parte vel in navigatione ad easdem terras nos cum avisamento et consensu praedicto ordinamus quod dictus Dominus Willielmus Alexander suique praedicti unum commune sigillum habebunt ad officium locumtenentis justiciariae et admiraltatis spectans quod per dictum Dominum Willielmum Alexander suosque praedictos vel per suos deputatos omni tempore affuturo custodietur in cujus uno latere nostra insignia inculpentur cum his verbis in ejusdem circulo et margine SIGILLUM REGIS SCOTIE ANGLIE FRANCIE ET HIBERNIE et in altero latere imago nostra nostrorumque successorum cum his verbis PRO NOVE SCOTIE LOCUMTENENTE cujus justum exemplar in manibus ac custodia conservatoris privilegiorum Novae Scotiae remanebit quo ut occasio requiret in officio suo utatur ET QUUM maxime necessarium sit ut omnes dilecti nostri subditi quotquot dictam provinciam Novae Scotiae vel ejus confinia incolent in timore Omnipotentis Dei et vero ejus cultu simul vivant omni conamine intendentes Christianam religionem ibi stabilire pacem etiam et quietem cum nativis incolis et agrestibus aboriginibus earum terrarum colere (unde ipsi et eorum quilibet mercimonia ibi exercentes tuti cum oblectamento ea quae magno cum labore et periculo acquisiverunt quiete possidere possunt) nos pro nobis nostrisque successoribus volumus nobisque visum est per presentis cartae nostrae tenorem dare et concedere dicto Domino Willielmo Alexander suisque praedictis et eorum deputatis vel aliquibus aliis nostris gubernatoribus officiariis et ministris quos ipsi constituent liberam et absolutam potestatem tractandi et pacem affinitatem amicitiam mutua colloquia operam et communicationem cum agrestibus illis aboriginibus et eorum principibus et quibuscunque aliis regimen et potestatem in ipsos habentibus contrahendi observandi et alendi tales affinitates et colloquia quae ipsi vel sui praedicti cum iis contrahent modo foedera illa ex adversa parte per ipsos silvestres fideliter observentur quod nisi fiat arma contra ipsos sumendi quibus redigi possunt in ordinem sicuti dicto Domino Willielmo suisque praedictis et deputatis suis pro honore obedientia et Dei servitio ac stabilimento defensione et conservatione autoritatis nostrae inter ipsos expediens videbitur Cum potestate etiam praedicto Domino Willielmo Alexander suisque praescriptis per ipsos vel eorum deputatos substitutos vel assignatos pro eorum defensione et tutela omni tempore et omnibus justis occasionibus imposterum aggrediendi ex inopinato invadendi expellendi et armis repellendi tam per mare quam per terram omnibus modis omnes et singulos qui sine speciali licentia dicti Domini Willielmi suorumque praedictorum terras eas inhabitare aut mercaturam exercere in dicta provincia Novae Scotiae aut quavis ejusdem parte conabuntur et similiter omnes alios quoscunque

qui aliquid damni detrimenti destructionis læsionis vel invasionis contra provinciam illam aut ejusdem incolæ inferre præsumunt Quod ut facilius fiat licitum erit dicto Domino Willielmo suisque prædictis eorum deputatis factoribus et assignatis contributiones a periclitantibus et incolis ejusdem levare in unum cogere per proclamationes vel quovis alio ordine talibus temporibus sicuti dicto Domino Willielmo suisque prædictis expediens videbitur omnes nostros subditos infra dictos limites dictæ provincie Novæ Scotiæ inhabitantes et mercimonia ibidem exercentes convocare pro meliori exercitio necessariorum supplemento et populi ac plantationis dictarum terrarum augmentatione et incremento Cum plenaria potestate præilegio et libertate dicto Domino Willielmo Alexander suisque præscriptis per ipsos vel eorum substitutos per quævis maria sub nostris insigniis et vexillis navigandi cum tot navibus tanti oneris et tam bene munitione viris et victualibus instructis sicuti possunt parare quovis tempore et quoties iis videbitur expediens ac omnes ejusdemque qualitatibus et gradibus personas subditos nostros existentes aut qui imperio nostro sese subdere ad iter illud suscipiendum voluerint cum ipsorum jumentis equis bobus ovibus bonis et rebus omnibus munitionibus machinis majoribus armis et instrumentis militaribus quotquot voluerint aliisque commoditatibus et rebus necessariis pro usu ejusdem colonie mutuo commercio cum nativis inhabitantibus earum provinciarum aut aliis qui cum ipsis plantatoribus mercimonia contrahent transportandi et omnes commoditates et mercimonia quæ iis videbuntur necessaria in regnum nostrum Scotiæ sine alicujus taxationis custumæ et impositionis pro eisdem solutione nobis vel nostris custumariis aut eorum deputatis inde portandi eosdemque ab eorum officiis in hac parte pro spatio septem annorum diem datæ præsentis cartæ nostræ immediate sequentium inhibendo QUAMQUIDEM solam commoditatem per spatium tredecim annorum imposterum libere concessimus tenoreque præsentis cartæ nostræ concedimus et disponimus dicto Domino Willielmo suisque prædictis secundum proportionem postea mentionatam Et post tredecim illos annos finitos licitum erit nobis nostrisque successoribus ex omnibus bonis et mercimoniis quæ ex hoc regno nostro Scotiæ ad eandem provinciam Novæ Scotiæ vel ex ea provincia ad dictum regnum nostrum Scotiæ exportabuntur vel importabuntur in quibusvis hujus regni nostri portubus per dictum Dominum Willielmum suosque prædictos tantum quinque libras pro centum secundum antiquum negotiandi modum sine ulla alia impositione taxatione custumæ vel devoria ab ipsis imposterum levare et exigere quaquidem summa quinque librarum pro centum sic soluta per dictum Dominum Willielmum suosque prædictos aliisque nostris officiariis ad hunc effectum constitutis exinde licitum erit dicto Domino Willielmo suisque prædictis eadem bona de hoc regno nostro Scotiæ in quasvis alias partes et regiones extraneas sine alicujus alterius custumæ taxationis vel devoriæ solutione nobis vel nostris hæredibus aut

accessoribus aut aliquibus aliis transportare et avchere Proviso tamen quod dicta bona infra spatium tredecim mensium post ipsarum in quovis hujus regni nostri portu appulsionem navi rursus imponantur Dando et concedendo absolutam et plenariam potestatem dicto Domino Willielmo suisque praedictis ab omnibus nostris subditis qui colonias deducere mercimonia exercere aut ad easdem terras Novae Scotiae et ab eisdem navigare voluerint praeter dictam summam nobis debitam pro bonis et mercimoniis quinque libras de centum vel ratione exportationis ex hoc regno nostro Scotiae ad dictam provinciam Novae Scotiae vel importationis a dicta provincia ad hoc regnum nostrum Scotiae praedictum in ipsius ejusque praedictorum proprios usus sumendi levandi et recipiendi Et similiter de omnibus bonis et mercimoniis quae per nostros subditos coloniarum ductores negotiatores et navigatores de dicta provincia Novae Scotiae ad quaevis nostra dominia aut alia quaevis loca exportabuntur vel a nostris regnis et aliis locis ad dictam Novam Scotiam importabuntur ultra et supra dictam summam nobis destinatam quinque libras de centum Et de bonis et mercimoniis omnium extraneorum aliorumque sub nostra obedientia minime existentium quae vel de dicta provincia Novae Scotiae exportabuntur vel ad eandem importabuntur ultra et supra dictam summam nobis destinatam decem libras de centum dicti Domini Willielmi suorumque praedictorum propriis usibus per tales ministros officarios vel subditos eorumve deputatos aut factores quos ipsi ad hunc effectum constituent et designabunt levandi sumendi ac recipiendi Et pro meliori dicti Domini Willielmi suorumque praedictorum aliorumque omnium dictorum nostrorum subditorum qui dictam Novam Scotiam inhabitare vel ibidem mercimonia exercere voluerint securitate et commoditate et generaliter omnium aliorum qui nostrae auctoritati et potestati sese subdere non gravabuntur nobis visum est volumusque quod licitem erit dicto Domino Willielmo suisque praedictis unum vel plura munimina propugnacula castella loca fortia specula armamentaria *lie blokhous* aliaque aedificia cum portubus et navium stationibus aedificare vel aedificari causare unacum navibus bellicis easdemque pro defensione dictorum locorum applicare sicuti dicto Domino Willielmo suisque praedictis pro dicto conamine perficiendo necessarium videbitur proque ipsorum defensione militum catervas ibidem stabilire praeter praedicta supramentionata et generaliter omnia facere quae pro conquaestu augmentatione populi in habitatione preservatione et gubernatione dictae Novae Scotiae ejusdemque terrarum et territorii infra omnes hujusmodi limites pertinentias et dependentias sub nostro nomine et auctoritate quodcumque nos si personaliter eas facere praesentes facere potuimus licet casus specialem et strictum magis ordinem quam in hac praesenti carta nostra praescribitur requirat cui mandato volumus et ordinamus stricissimeque praecipimus omnibus nostris justiciariis officiariis et subditis ad loca illa sese conferentibus ut sese applicent dictoque Domino Wil-

lielmo suisque praedictis in omnibus et singulis supramentionatis earum substantiis
 et dependentiis intendant et obediant eisque in earum executione in omnibus adeo
 sint obedientes ut nobis ejus personam representat esse deberet sub poena dis-
 obedientiae et rebellionis **DECLARAMUS** insuper per praesentis cartae nostrae tenorem
 omnibus Christianis regibus principibus et statibus quod si aliquis vel aliqui qui
 imposterum de dictis coloniis vel de earum aliqua sit in provincia Novae Scotiae
 predicta vel aliqui alii sub eorum licentia et mandato quovis tempore futuro piraticam
 exercentes per mare vel terram bona alicujus abstulerint vel aliquid injustum aut
 indebitum hostiliter contra aliquos nostros nostrorumve haeredum aut successorum
 seu aliorum regum principum gubernatorum aut statuum in foedere nobiscum exis-
 tentium subditos quod tali injuria sic oblata aut justa querela desuper mota per ali-
 quem regem principem gubernatorem statum vel eorum subditos predictos nos nostri
 haeredes et successores publicas proclamationes fieri curabimus in aliqua parte dicti
 regni nostri Scotiae ad hunc effectum magis commoda ut dicti pirata vel piratae qui
 tales rapinas committent stato tempore per prefatas proclamationes limitando
 plenarie restituant quaecunque bona sic ablata et pro dictis injuriis omnimodo
 satisfaciant ita ut dicti principes alique sic conquirentes satisfactos se esse reputent
 et quod si talium facinorum commissores neque satisfactionem condignam facient
 nec fieri infra tempus limitandum curabunt quod tunc is vel ii qui tales rapinas
 commiserint neque sunt nec imposterum sub nostra obedientia et protectione erunt
 quodque licitum et legitimum erit omnibus principibus aliisque quibuscunque tales
 delinquentes eorumve quemlibet omni eum hostilitate prosecui et invadere **ET**
LICET neminem nobilem et generosum de patria hac sine licentia nostra discedere
 statutum sit nihilominus volumus quod hoc presens nostrum diploma sufficiens erit
 licentia et warrantum omnibus qui se huic itinere committent nisi laesa majes-
 tatis sint rei aut aliquo alio speciali mandato sint inhibiti atque per praesentis
 cartae tenorem declaramus volumusque quod nemo patria hac discedere permittatur
 et ad dictam regionem Novae Scotiae tendere nisi qui juramentum nostrae supre-
 matatis primum susceperint ad quem effectum nos tenore praesentis cartae nostrae
 dicto Domino Wilhelmo suisque praedictis vel eorum conservatoribus et deputatis
 idem hoc juramentum omnibus personis versus illas terras in ea colonia sese con-
 ferentibus requirere et exhibere plenariam potestatem et auctoritatem damus et
 concedimus **PRAETEREA** nos cum avisamento et consensu praedicto pro nobis et
 successoribus nostris declaramus decernimus et ordinamus quod omnes nostri sub-
 diti qui ad hanc Novam Scotiam proficiscuntur aut eam incolent eorumque omnes
 liberi et posteritas qui ibi nasci contigerint alique omnes ibidem periclitantes habe-
 bunt et possidebunt omnes libertates immunitates et privilegia liberorum et natu-
 raliu subditoru regni nostri Scotiae aut alioru nostroru dominioru sicuti

ibidem nati fuissent INSUPER nos pro nobis et successoribus nostris damus et concedimus dicto Domino Willielmo suisque praedictis liberam potestatem stabiliendi et eudere causandi monetam pro commercio liberiori inhabitantium dictae provinciae cuiusvis metalli quomodo et qua forma voluerint et easdem praescribent Atque etiam si quae quaestiones aut dubia super interpretatione et constructione alicujus clausulae in hac praesenti carta nostra contentae occurrerent ea omnia sumuntur et interpretabuntur in amplissima forma et in favorem dicti Domini Willielmi suorumque praedictorum PRAETEREA nos ex nostra certa scientia proprio motu autoritate et potestate regali fecimus univimus annexavimus ereximus creavimus et incorporavimus tenoreque praesentis cartae nostrae facimus unimus annexamus erigimus creamus et incorporamus totam et integram dictam provinciam et terras Novae Scotiae cum omnibus earundem limitibus et maribus in unum integrum et liberum dominium et baroniam per praedictum nomen NOVAE SCOTIAE omni tempore futuro appellandum Volumusque et concedimus ac pro nobis nostrisque successoribus decernimus et ordinamus quod unica sasina nunc per dictum Dominum Willielmum suosque praedictos omni tempore affuturo modo subsequente sumenda stabit et sufficiens erit sasina pro tota dicta regione cum omnibus partibus pendiculis privilegiis casualitatibus et immunitatibus ejusdem supramentionatis absque aliqua alia speciali aut particulari sasina per ipsum suosque praedictos apud aliquam aliam partem capienda penes quam sasinam omniaque quae inde sequuta sunt aut sequi possunt nos cum avisamento et consensu praescripto pro nobis et successoribus nostris dispensavimus tenoreque praesentis cartae nostrae modo subius mentionato dispensamus imperpetuum TENENDAM ET HABENDAM totam et integram dictam regionem et dominium Novae Scotiae cum omnibus ejusdem limitibus infra praedicta maria cunctisque aliis privilegiis libertatibus immunitatibus casualitatibus aliisque supra expressis praefato Domino Willielmo Alexander haeredibus suis et assignatis de nobis et successoribus nostris in feodo haereditate libero dominio libera baronia et regalitate imperpetuum modo supra mentionato per omnes rectas metas et limites suos prout jacent in longitudine et latitudine in domibus aedificiis aedificatis et aedificandis boscis planis moris marresiiis viis semitis aquis stagnis rivolis pratis pascuis et pasturis molendinis multuris et eorum sequelis aucupationibus venationibus piscationibus petariis turbariis carbonibus carbonariis cuniculis cuniculariis columbis columbariis fabrilibus brasinis brueriis et genestis silvis nemoribus et virgultis lignis tignis lapicidiis lapide et calce cum curiis et earum exitibus herezeldis amerciamentis bluiduitis et mulierum merchetis cum communi pastura liberoque introitu et exitu cum furca fossa sok sake thoile theme vert venisoun infangtheiff outfangtheiff pit et gallows ac cum omnibus aliis et singulis libertatibus commoditatibus proficiis asiamentis ac justis suis pertinentiis quibuscunque tam non nominatis

quam nominatis tam subtus terra quam supra terram procul et prope ad praedictum dominium baroniam et regalitatem spectantibus seu juste spectare valentibus quomodolibet in futurum libere quiete plenarie integre honorifice bene et in pace sine ulla revocatione contradictione impedimento aut obstaculo quocunque REDDENDO inde annuatim dictus Dominus Willielmus Alexander suique praedicti nobis nostrisque haeredibus et successoribus unum denarium monetae regni nostri Scotiae super fundo dictarum terrarum et provinciae Novae Scotiae ad festum Nativitatis Christi nomine albae firmæ si petatur tantum Et quia tentione dictarum terrarum et provinciae Novae Scotiae in alba firma ut praedicitur deficiente tempestivo et legitimo introitu cujusvis haeredis vel haeredum dicti Domini Willielmi sibi succedentium quod difficulter per ipsos praestari potest ob longinquam distantiam ab hoc regno nostro eadem terrae et provincia ratione non-introitus in manibus nostris nostrorumve successorum devenient usque ad legitimum legitimi haeredis introitum et nos nolentes dictas terras et regionem quovis tempore in non-introitu cadere neque dictum Dominum Willielmum suosque praedictos beneficiis et proficuis ejusdem eatenus frustrari idcirco nos cum avisamento praedicto cum dicto non-introitu quandocunque contigerit dispensavimus tenoreque praesentis cartae nostrae pro nobis et successoribus nostris dispensamus ac etiam renunciavimus et exoneravimus tenoreque ejusdem cartae nostrae cum consensu praedicto renunciamus et exoneramus dictum Dominum Willielmum suosque praedictos de prefato non-introitu dictae provinciae et regionis cum omnibus beneficio et commoditate earundem firmis proficuis censibus et devoriis hujusmodi cum omnibus quae desuper sequi possunt quocunque in manibus nostris devenient aut ratione non-introitus cadent Proviso tamen quod dictus Dominus Willielmus suique haeredes et assignati infra spatium septem annorum post decessum et obitum suorum praedecessorum aut introitum ad possessionem dictarum terrarum aliorumque praedictorum per ipsos vel eorum legitimos procuratores ad hunc effectum potestatem habentes nobis nostrisque successoribus homagium faciant et dictum dominium terras et baroniam aliaque praedicta adeant et per nos recipientur secundum leges et statuta dicti regni nostri Scotiae In quocumque casu haeredes et assignati dicti Domini Willielmi Alexander non obstante praedicto non-introitu gaudebunt et possidebunt omnes et singulas praedictas terras regionem et dominium Novae Scotiae cum omnibus et singulis proficuis commoditatibus beneficiis privilegiis et libertatibus earundem ac si dictus non-introitus non fuisset vel ac si in non-introitu nunquam cecidissent Quaequidem terrae regio et dominium Novae Scotiae tam terra firma quam insulae infra omnes et singulas dictas bondas et maria earundem cum silvis piscationibus tam in aquis salis quam dulcibus tam piscium regalium quam aliorum cum margaritis praeciosis lapidibus venis mineralibus regis auri et argenti aliis mineralibus ferri chalybis

plumbi cupri aeris stanni orichalci aliisque quibuscunque ac omnibus privilegiis libertatibus immunitatibus praerogativis officiis et jurisdictionibus aliisque specialiter et generaliter supra-recitatis perprius ad dictum Dominum Willielmum Alexander suosque haeredes et assignatos pertinuerunt et per ipsum suosque procuratores suo nomine in manibus nostris debite et legitime resignatae fuerunt et hoc pro novo nostro haereditario infeofamento earundem in favorem dicti Domini Willielmi suorumve haeredum et assignatorum praedictorum in debita et competenti forma ut congruit concedendo TENENDARUM ut dictum est cum dispensatione non-introitus modo praescripto cum contigerit INSUPER nos cum avisamento praescripto pro bono fidei et gratuito servitio nobis per dictum Dominum Willielmum Alexander praestito et impenso et respectu habito magnarum et multarum expensarum et sumptuum conferendarum et impendendarum in plantatione dictarum bondarum domini et regionis Novae Scotiae et earundem sub nostra obedientia reductione aliisque gravibus et causis onerosis DE NOVO dedimus concessimus et disposuimus tenoreque praesentis cartae nostrae damus concedimus et disponimus praefato Domino Willielmo Alexander suisque haeredibus et assignatis haereditarie Omnes et singulas praedictas terras dominium et regionem Novae Scotiae unacum omnibus et singulis castellis turribus fortaliciis manerierum locis domibus aedificiis exstructis et extruendis hortis pomariis plantatis et plantandis toftiscroftis pratis pascuis sylvis virgultis molendinis multis terris molendinariis piscationibus tam rubrorum quam alborum piscium salmonum piscium tam magnorum quam minorum tam in aquis salsis quam dulcibus unacum omnibus et singulis decimis garbalibus earundem inclusis tam magnis quam minutis cum advocacione donacione beneficiorum ecclesiarum et capellaniarum et juribus patronatuum earundem annexis connexis dependentiis tenentibus tenandis et liberetenentium servitiis earundem Unacum omnibus et singulis praeciosis lapidibus gemmis cristallo alumine corallio et aliis cum omnibus et singulis mineralibus venis et lapidibus earundem tam metallorum et mineralium regalium et regionum auri et argenti infra dictas bondas et dominium Novae Scotiae quam aliorum mineralium ferri chalybis stanni plumbi cupri aeris orichalci aliorumque mineralium quorumcunque cum omnibus et singulis partibus pendiculis pertinentiis privilegiis libertatibus et immunitatibus omnium et singularum praedictarum terrarum domini et regionis Novae Scotiae Cum plena potestate et privilegio dicto Domino Willielmo Alexander haeredibus suis et assignatis tentandi et investigandi fodiendi et scrutandi fundum pro eisdem et extrahendi eadem purgandi et repurgandi purificandi eadem utendi convertendi ac suis propriis usibus applicandi (reservata solummodo nobis nostrisque successoribus decima parte regalium metallorum vulgo appellatorum *the ure* auri et argenti inveniendorum et extrahendorum imposterum de dictis terris et regione) et reliqua dictorum metallorum mineralium praeciosorum lapidum

gemmarum ac aliorum quorumcunque dicto Domino Willielmo Alexander suisque haeredibus et assignatis pertinebunt cum ipsis perpetuo remanenda eorumque propriis usibus convertenda cum omnibus proficiis et devoriis earundem Cum potestate dicto Domino Willielmo Alexander suisque haeredibus et assignatis condendi exstruendi et erigendi in et infra omnes bondas dictae regionis sicuti iis videbitur expediens civitates liberos burgos baroniae villas villulas sinus portus stationes navium et designandi nundinas et macella tam in villis quam extra et imponendi levandi et recipiendi omnes et quascunque colonias custumas anchoragia aliasque devorias earundem civitatum burgorum baroniae villarum villularum nundinarum macellarum liberorum portuum sinuum navium stationum cum omnibus et singulis casualitatibus proficiis et devoriis quibuscunque easdem civitates et burgos adornandi tam infra burgos quam extra cum sufficientibus et habilibus magistratibus pacis iusticiariis praepositis ballivis senioribus constabulariis aliisque officiariis civibus burgensibus liberis et manufactoribus artificibus omnium generum cum decanis ipsorum aliisque ad hoc requisitis Cum plenaria potestate privilegio et libertate iis eorumve liberis civibus et burgensibus vendendi vinum et ceram salmones halcees aliaque stapuli bona et mercinonia tam magna quam minuta et exstruendi ecclesias capellas xenodochia *lie hospitallis and in diebus* cruceas forales campanilia campanas aliaque omnia ornamenta ordinaria eisdem spectantia et plantandi et sufficienter providendi easdem ecclesias cum sufficientibus doctoribus praedicatoribus pastoribus et ministris Et similiter erigendi fundandi et exstruendi scholas triviales collegia et universitates sufficienter provisae cum habilibus et sufficientibus magistris rectoribus regentibus professoribus omnium scientiarum literarum linguarum et sermonum et providendi prosufficiente alimento stipendiis et vietu pro eisdem ad hunc effectum ac etiam erigendi praelatos archiepiscopos episcopos rectores et vicarios parochiarum et ecclesiarum parochialium et distribuendi et dividendi omnes praedictas bondas dictae regionis in diversis et distinctis vicecomitatibus provinciis et parochiis pro meliori provisione ecclesiarum et ministerii divisione vicecomitatum et omni alia civili politia Et similiter fundandi erigendi et instituendi senatum iusticiae loca et iusticiae collegia consilii et sessionis senatores earundem membra pro iusticiae administratione infra dictam regionem aliaque iusticiae et iudicaturae loca praeterea erigendi et designandi tam secreta et privata consilia et sessiones pro publico bono et commodo dictae regionis et dandi et concedendi titulos honores et dignitates membris earundem et creandi clericos et earundem membra et designandi sigilla et registra cum ipsorum custodibus ac etiam erigendi et instituendi officarios status cancellarium thesaurarium computorum rotulatorem collectorem secretarium advocatum vel actornatum generalem clericum vel clericos registri et rotulorum custodes iusticiariae clericum directorem vel directores cancellariae

conservatorem vel conservatores privilegiorum dictae regionis advocatos procuratores causarumque patronos earundemque solicitatores et agentes aliaque membra necessaria Et similiter convocandi congregandi et constituendi conventiones et congregationes ecclesiasticorum praelatorum tam generales synodales vel provinciales conventiones quam alias pro politia et disciplina ecclesiastica et autorizandi ratificandi et confirmandi easdem conventiones consilia et congregationes cum actis statutis et decretis inibi conclusis pro eorundem meliori autoritate PRAETEREA fecimus constituimus et ordinavimus tenoreque praesentis cartae nostrae facimus constituimus et ordinamus dictum Dominum Willielmum Alexander suosque haeredes et assignatos nostros nostrorumve haeredum et successorum locumtenentes generales ad repraesentandum nostram regalem personam tam per mare quam terram totius et integrae dictae regionis et domini Novae Scotiae tam durante spatio quo ibi remanebit quam in itinere ipsius vel eorum ad dictam regionem vel ab eadem et post ipsorum reditum continuo sine intervallo temporis aut loci Excludendo omnes alios vel per mare vel per terram ab usurpatione hujus contrarii vel ab acclamatione alicujus juris beneficii autoritatis et interesse infra dietas bondas et dominium Novae Scotiae vel alicujus judicaturae aut jurisdictionis catenus virtute alicujus praecedentis aut subsequentis juris aut tituli cujuscunque Et cum speciali potestate dicto Domino Willielmo Alexander suisque praedictis gubernandi regendi puniendi et condonandi omnes nostros subditos aliosque dictarum bondarum et regionis Novae Scotiae inhabitantes aut ibi proficiscentes pacis aut legum dictae regionis transgressores ac faciendi sanciendo et stabiliendi ibidem leges tam civiles quam criminales cum legibus justiciariae admiralitatis senescallatus regalitatis et vicecomitatus pro eorum beneplacito modo eadem leges tam conformes sint legibus Scotiae quam convenienter fieri potest respectu habito circumstantiarum loci regionis personarum et qualitarum earundem Et similiter designandi gubernatores imperatores et ductores omnium et singularum praedictarum civitatum burgorum portuum navium stationum et sinuum et capitaneos etiam castrorum fortalicio- rum et propugnaculorum tam per mare et prope littus quam per terram bene et sufficienter munitas instructas et fortificatas militum turmis et copiis pro manutentione defensione et praeservatione earundem et repulsione omnium tam domesticarum quam extraneorum invasionum earundem et convocandi congregandi et convenire faciendi omnes inhabitantes dictae regionis ad effectum praescriptum omnibus occasionibus necessariis ac pro repulsione et resistantia omnium aliarum virium et violentiarum quarumcunque Et pro meliori fortificatione dicti domini et regionis Novae Scotiae cum potestate dicto Domino Willielmo Alexander suisque praedictis transportandi de dicto regno aliisve bondis convenientibus omnia genera munitionis magna et minuta tormenta majora media vulgo *cannonis demi-cannonis zettingis*

falconis aeris et ferri sclopetos atque alia instrumenta et belli machinas cum sclopetis minoribus vulgo *muskettis hagbuttis half-haggis* bombardis vulgo *pistolettis* pulvere globulis aliisque necessariis victualibus et armis tam offensivis quam defensivis et gerendi et utendi talibus armis tam infra dictam regionem Novae Scotiae quam in eorum transitu et cursu vel ad easdem terras vel ab eisdem cum eorum comitibus sociis et dependentibus Nos etiam cum avisamento praedicto fecimus constituimus et ordinavimus tenoreque praesentis cartae nostrae facimus constituimus et ordinamus dictum Dominum Willielmum Alexander suosque haeredes et assignatos haereditarie nostros justiciarios generales in omnibus causis criminalibus infra dictam regionem et dominium Novae Scotiae magnum admirallum et Dominum regalitatis et admiralitatis infra dictam regionem haereditarios etiam senescallos ejusdem omniumque et singularum regalitatum hujusmodi Cum potestate sibi suisque haeredibus et assignatis utendi exercendi et gaudendi omnibus et singulis praefatis jurisdictionibus judicaturis et officiis cum omnibus et singulis privilegiis praerogativis immunitatibus et casualitatibus earundem similiter et adeo libere quam aliquis alius justiciarius vel justiciarii generales senescalli admiralli vicecomites aut domini regalitatis habuerunt vel habere possunt aut possidere et gaudere iisdem jurisdictionibus judicaturis officiis dignitatibus et praerogativis in aliquibus nostris regnis bondis et dominiis nostris quibuscunque Cum potestate dicto Domino Willielmo Alexander suisque haeredibus et assignatis constituendi eligendi nominandi et creandi clericos officarios serjandos adjudicatores omniaque alia curiae membra omnium et singularum praefatarum judicaturarum et jurisdictionum respective cum omnibus feodis devoriis et casualitatibus eisdem spectantibus prout iis videbitur expediens sine praepjudicio omnimodo omnium aliorum infeofamentorum jurium vel dispositionum per nos nostrosve praedecessores cuicumque personae vel quibuscunque personis qui participes sunt vel erunt dictae plantationis Novae Scotiae procedentium supra resignationem dicti Domini Willielmi Alexander solummodo et non aliter de quibuscunque partibus aut portionibus dictae regionis et domini Novae Scotiae cum privilegiis et immunitatibus in ipsorum infeofamentis mentionatis Et quum ratione longi intervalli et distantiae dictae regionis et domini Novae Scotiae a dicto antiquo regno nostro Scotiae et quod eadem regio neque facile neque commode nisi aestatis tempore peti potest quodque eadem regio publicis tabellionibus et notariis requisitis pro sasinis sumendis omnino est destituta adeo ut sasina commode super fundum dictae regionis omnibus temporibus capi non potest atque etiam respectu habito magnorum et multifariorum incommodorum quae cadere possunt in defectu tempestivae sasinae sumendae super hoc praesens diploma et super alias cartas et similia infeofamenta concessa et concedenda de praedictis terris et dominio Novae Scotiae vel aliqua earundem parte igitur ut

praesens haec nostra carta magis sit officax et ut sasina desuper magis commode capi possit necessarium est ut sasina sumatur omnium et singularum praedictarum terrarum dictae regionis et domini Novae Scotiae infra dictum regnum nostrum Scotiae et super funda et terras ejusdem in magis eminente ejusdem loco quod nec convenienter nec legitime fieri potest sine expressa unione dictae regionis et domini Novae Scotiae dicto regno Scotiae Quocirca et pro facilitate commodo et convenientia antedictae sasinae nos cum avisamento praedicto annexavimus univimus et incorporavimus tenoreque praesentis cartae nostrae unimus annexamus et incorporamus dicto regno nostro Scotiae totam et integram praedictam regionem et dominium Novae Scotiae cum decimis et decimis garbalibus earundem inclusis et omnibus et singulis partibus pertinentiis privilegiis jurisdictionibus et libertatibus earundem aliisque generaliter et specialiter supra mentionatis Et per praesentis cartae nostrae tenorem volumus declaramus decernimus et ordinamus quod unica sasina nunc capienda apud castellum nostrum de Edinburt tanquam maxime eminentem et principalem locum dieti regni nostri Scotiae de omnibus et singulis dictis terris regione et dominio Novae Scotiae vel aliqua earundem parte cum decimis et decimis garbalibus earundem respective inclusis est et erit sufficiens sasina pro totis et integris praedictis terris regione et dominio Novae Scotiae cum decimis et decimis garbalibus earundem inclusis vel aliqua earundem parte terrarum et regionis prescriptarum et omnibus privilegiis jurisdictionibus et libertatibus ejusdem respective aliisque specialiter et generaliter supramentionatis non obstante quod eadem terre regio et dominium Novae Scotiae longe distent et discontigue jaceant a dicto regno nostro Scotiae penes quod nos cum avisamento et consensu praedicto dispensavimus tenoreque praesentis cartae nostrae dispensamus imperpetuum sine praepjudicio et derogatione omnimodo dieti privilegii et praerogativae praefato Domino Willielmo Alexander suisque haeredibus et assignatis concessi pro confectione et stabilimento legum actorum et constitutionum omnium et singularum praedictarum terrarum regionis et domini Novae Scotiae tam per mare quam per terram Et per praesentis cartae nostrae tenorem declaramus quod non obstante dicta unione (quae concedi solummodo declaratur pro commoditate et convenientia sasinae) eadem regio et dominium Novae Scotiae judicabitur regetur et gubernabitur per leges et constitutiones factas fiendas constituendas et stabiendas per dictum Dominum Willielmum Alexander suosque haeredes et assignatos spectantes ad dictam regionem et dominium Novae Scotiae similiter et adeo libere in eo respectu sicuti eadem unio nunquam fuisset facta nec eatenus concessa Et praeterea non obstante praedicta unione licitum erit praedicto Domino Willielmo Alexander suisque haeredibus et assignatis dare concedere et disponere aliquas partes vel portiones dictarum terrarum regionis et domini Novae Scotiae iis haereditarie spectantes ad et in favorem quarumcunque personarum eorum haeredum et assigna-

torum hæreditarie cum decimis et decimis garbalibus earundem inclusis (modo nostri sint subditi) tenendas de dicto Domino Willielmo Alexander vel de nobis et nostris successoribus vel in alba firma feudifirma vel warda et relevio pro eorum beneficio et intitulare et denominare easdem partes et portiones quibuscunque stiliis titulis et designationibus iis visum fuerit aut in libito et optione dicti Domini Willielmi suorumque prædictorum Quaequidem infeofamenta et dispositiones per nos nostrosve successores libere sine aliqua compositione propterea solvenda approbabuntur et confirmabuntur Insuper nos nostrique successores quascunque resignationes per dictum Dominum Willielmum Alexander suosque hæredes et assignatos fiendas de totis et integris præfatis terris et dominio Novæ Scotiæ vel alicujus earundem partis in manibus nostris nostrorumque successorum et commissionariorum prædictorum cum decimis et decimis garbalibus earundem inclusis aliisque generaliter et specialiter supra mentionatis recipimus ad et in favorem cujuscunque personae aut quarumcunque personarum (modo nostri sint subditi et sub nostra obedientia vivant et desuper infeofamenta expedient) tenendis in libera alba firma de nobis hæredibus et successoribus nostris modo supra mentionato libere sine ulla compositione Quasquidem terras regionem et dominium Novæ Scotiæ cum decimis garbalibus earundem inclusis omnesque et singulas partes pendiculas et pertinentias privilegia jurisdictiones prærogativas et libertates earundem aliaque specialiter et generaliter supra mentionata unacum omni jure titulo interesse jurisclameo tam petitorio quam possessorio quae nos nostrive prædecessores aut successores habuimus habemus vel quovismodo habere clamare aut prætereendere potuimus ad easdem vel aliquam earundem partem aut ad census firmas proficua et devorias earundem de quibuscunque annis aut terminis præteritis pro quacunque causa vel occasione nos cum avisamento prædicto pro rationibus supra mentionatis *DE NOVO* damus concedimus et disponimus prædicto Domino Willielmo Alexander suisque hæredibus et assignatis hæreditarie imperpetuum Renunciando et exonerando iisdem simpliciter cum omni actione et instantia eatenus competenti ad et in favorem dicti Domini Willielmi Alexander suorumque hæredum et assignatorum tam pro non solutione devoriarum in ipsorum originalibus infeofamentis contentarum quam pro non præstatione debiti homagii eisdem conformiter aut pro non perimptione alicujus puncti dicti originalis infeofamenti aut pro commissione alicujus culpae aut facti omissionis vel commissionis iisdem præjudiciabili et unde idem originale infeofamentum legitime impugnari aut in questionem duci imposterum quovismodo possit Acquietando et remittendo iisdem simpliciter cum omni titulo actione instantia et interesse eatenus competenti aut quae nobis nostrisque hæredibus et successoribus competere potest Renunciando iisdem simpliciter juri liti et causae cum pacto de non petendo ac cum supplemento omnium defectuum tam non nominatorum quam nomina-

torum quae nos tanquam pro expressis in hac praesenti carta nostra haberi volumus TENENDAS in libera alba firma ut dictum est et dispensando cum non-introitu quando-cunque contigerit modo praedicto INSUPER nos pro nobis et successoribus nostris cum avisamento praedicto damus concedimus et committimus potestatem dicto Don. no Willielmo Alexander suisque haeredibus et assignatis habendi et legitime stabiliendi et eudere causandi monetam currentem in dicta regione et dominio Novae Scotiae et inter inhabitantes ejusdem pro faciliori commercii et pactionum commodo talis metalli formae et modi sicuti ipsi designabunt aut constituent et ad hunc effectum damus concedimus et committimus iis eorumque haeredibus et assignatis dictae regionis locumtenentibus privilegia monetam eudendi cum instrumentis ferreis et officariis ad hunc effectum necessariis Praeterea nos pro nobis et successoribus nostris cum avisamento praedicto dedimus concessimus ratificavimus et confirmavimus ac per praesentis cartae nostrae tenorem damus concedimus ratificamus et confirmamus dicto Domino Willielmo Alexander suisque haeredibus et assignatis omnia loca privilegia praerogativas praeceminentias et praecedentias quascunque data concessa et reservata vel danda concedenda et reservanda dicto Domino Willielmo Alexander suisque haeredibus et assignatis ejusque successoribus locumtenentibus dictae regionis et domini Novae Scotiae per equites auratos baronetos reliquosque portionarios et consortes dictae plantationis adeo ut dictus Dominus Willielmus Alexander sui que haeredes masculi de corpore suo descendentes tanquam locumtenentes praedicti sumant et sumere possunt locum praerogativum praeceminentiam et praecedentiam tam ante omnes armigeros barones minores et generosos vulgo *squyris lairdis and gentilmen* dicti regni nostri Scotiae quam ante omnes praedictos equites auratos baronetos ejusdem regni nostri omnesque alios ante quos dicti equites aurati baronetti locum et praecedentiam virtute privilegii dignitatis iis concessi habere possunt pro ejus plantationis et coloniae Novae Scotiae adjumento et ejus praecipue respectu dicti equites aurati baronetti cum ipsorum statu et dignitate cum avisamento praedicto in dicto regno nostro Scotiae creati fuerant tanquam indicium speciale nostri favoris super tales generosos et honesto loco natos collati praedictae plantationis et coloniae participes cum hac expressa provisione omnimodo quod numerus praefatorum baronettorum nunquam excedat centum et quinquaginta DENIQUE nos cum avisamento praedicto pro nobis haeredibus et successoribus nostris volumus decernimus et ordinamus quod hoc nostrum diploma et infeofamentum ratificari approbari et confirmari cum omnibus ejusdem contentis in proximo nostro parlamento regni nostri Scotiae et ut habeat vim robur et efficaciam acti statuti et decreti ejusdem supremae judicaturae penes quod nos pro nobis nostrisque successoribus declaramus et ordinamus praesentem hanc nostram cartam dominis articulorum dicti nostri parlamenti pro ratificatione et confirmatione ejusdem

modo praescripto sufficiens fore warrantum **INSUPER** dilectis nostris

et vestrum cuilibet conjunctim

et divisim vicecomitibus nostris in hac parte specialiter constitutis salutem Vobis praecepimus et mandamus quatenus praefato Domino Wilhelmo Alexander vel suo certo actornato lateri praesentium statum et sasinam haereditariam pariter et possessionem corporalem actuaalem et realem totarum et integrarum praedictarum terrarum regionis et dominii Novae Scotiae cum omnibus et singulis partibus pendiculis privilegiis commoditatibus immunitatibus aliisque tam generaliter quam particulariter superius expressatis apud dictum castrum nostrum de Edinburt tradatis et deliberetis sine dilatione et hoc nullo modo omittatis Ad quod faciendum vobis et vestrum cuilibet conjunctim et divisim vicecomitibus nostris in hac parte antedictis nostram plenariam et irrevocabilem tenore praesentis cartae nostrae committimus potestatem Quamquidem sasinam nos cum avisamento praedicto pro nobis nostrisque successoribus tenore praesentis cartae nostrae volumus declaramus et ordinamus tam fore legitimam et sufficientem quam si praecepta sasinae separatim et ordinarie e nostra cancellaria ad eum effectum super dicta nostra carta fuissent directa penes quam nos cum avisamento praedicto pro nobis haeredibus et successoribus nostris dispensavimus ac per praesentis cartae nostrae tenorem dispensamus imperpetuum In cujus rei testimonium huic praesenti cartae nostrae magnum sigillum nostrum apponi praecepimus Testibus predilectis nostris consanguineis et consiliariis Jacobo marchione de Hammiltoun comite Arranie et Cambridge domino Aven et Innerdaill &c. Georgio Mariscalli comite domino Keyth &c. regni nostri mariscallo predilecto nostro consiliario Domino Georgio Hay de Kynfawnis milite nostro cancellario predilecto nostro consanguineo et consiliario Thoma comite de Melros domino Byning &c. nostro secretario dilectis nostris familiaribus consiliariis Dominis Ricardo Cockburne de Clerkingtoun nostri secreti sigilli custodo Joanne Hamiltoun de Magdalenis nostrorum rotulorum registri ac consilii clerico Georgio Elphingstoun de Blythiswod nostrae justiciariae clerico et Joanne Scott de Scotfistartvet nostrae cancellariae direttore militibus Apud aulam nostram de Otlandis duodecimo die mensis Julii anno Domini millesimo sexcentesimo vigesimo quinto et regni nostri primo.

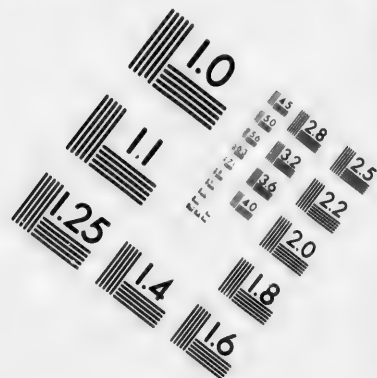
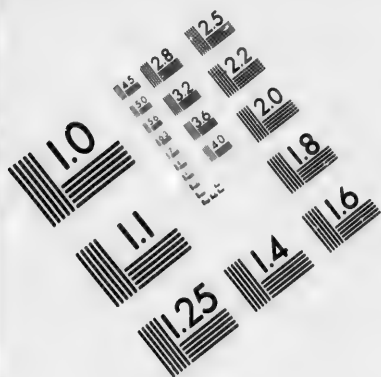
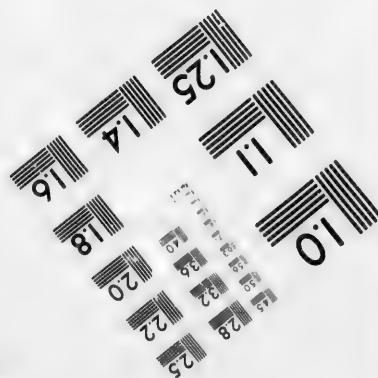
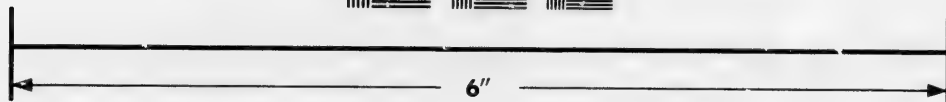
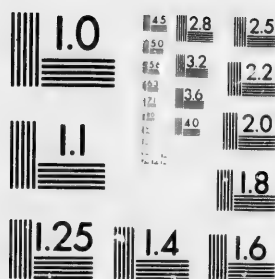


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CARTA WILLELMI ALEXANDER DE MENTRIE MILITIS
DE DOMINIO CANADAE &c. 2 FEBRUarii 1628.

CAROLUS Dei Gratia Magne Britannie Francie et Hibernie Rex Fideique Defensor omnibus probis hominibus totius terre seu clericis et laicis salutem Sciatis quia nos perfecte diligentes quo pacto fidelis ac praedilectus noster consiliarius Dominus Willielmus Alexander de Mentrie miles noster principalis secretarius pro regno nostro Scotiae ac haereditarius locumtenens regionis et dominii nostri Novae Scotiae in America variis suis susceptis navium machinarum bellicarum tormentorum et munitionum provisione deductione coloniarum necnon in dicta regione perspicenda peragrandi et possidenda magnos sumptus et impensas sustinuerit et quo melius ipse ceterique nostri subditi dictae regionis inhabitationem secundum experiri corroborarentur pro ulteriore nostrorum in istis partibus dominiorum dilatatione Christianae religionis inibi propagatione viaeque seu transitus sperabili revelatione et detectione ad ista maria quae Americae ab occidente incumbunt vulgo *lie South Sea* nuncupata unde magni istius fluminis seu sinus Canadae vel alicujus in eundem defluentis fluvii caput seu scaturige non procul distare existimatur Ac quoniam ex specimine per dictum Dominum Willielmum in dictae regionis Novae Scotiae ad praefatum sinum et fluvium Canadam terminantis perspectione et peragratione hactenus exhibito spectata plantationis in istis partibus mitia ad propagationem dictae religionis magnumque antiqui regni nostri Scotiae decus et emolumentum tantum tendentia sibi stabilienda proposuit ex quo fieri potest ut dictae coloniae per ipsum suosque successores plantandae hac ope praefatam viam seu transitum ad dicta maria multum huc usque praegravibus considerationibus desideratum totiesque per varias personas susceptum processu temporis detegant Igitur ac pro dicti Domini Willielmi haeredum suorum assignatorum suorumque participum et associatorum ad ulteriorem in tali tantoque suscepto progressum flagrantioribus accendendis animis nos cum specialibus avisamento et consensu prefidelis et praedilecti nostri consanguinei et consilarii Joannis Comitis Marriae Domini Erskene et Garech magni nostri thesaurarii nostrorum computorum rotulatoris collectoris et thesaurarii novarumque nostrarum augmentationum regni nostri Scotiae fidelis et praedilecti nostri consilarii Archibaldi Domini Naper de Merchingstoun nostri in dictis officiis deputati ac reliquorum dominorum nostri

secreti consilii nostrorum commissionariorum dicti regni nostri Scotiae dedimus concessimus et disposuimus tenoreque praesentis cartae nostrae damus concedimus et disponimus praefato Domino Willielmo Alexander haeredibus suis et assignatis haereditarie imperpetuum Omnes et singulas insulas infra sinum Canadae jacentes inter Novam Scotiam et Terram Novam ad ostium et introitum praedicti magni fluminis Canadae ubi decedit et intrat in dictum sinum (includendo inibi magnam insulam *Anticosti*) Necnon dedimus concessimus et disposuimus tenoreque praesentis cartae nostrae damus concedimus et disponimus praenominato Domino Willielmo Alexander suisque praedictis omnes et singulas insulas infra dictum fluvium Canadae jacentes a dicto ostio et introitu ad caput usque primum ortum et scaturiginem ejusdem ubicunque sit aut lacum unde fluit (qui putatur esse versus magnum sinum Californiae a quibusdam Mare Vermeio nuncupatum) aut infra quosvis alios fluvios in dictum fluvium Canadam defluentes vel in quibuscunque lacubus aquis sive fretis per quae vel dictus magnus fluvius Canada vel aliqui alii dictorum fluviorum decurrunt aut in quibus exeunt Ac praeterea dedimus et concessimus tenoreque praesentis cartae nostrae damus et concedimus praefato Domino Willielmo suisque antedictis quinquaginta leucas bondarum ab utroque latere antedicti fluvii Canadae a dicto ostio et introitu ad dictum caput fontem et scaturiginem ejusdem necnon ab utroque latere dictorum aliorum fluviorum in eundem defluentium ac etiam ab utroque latere dictorum lacuum fretorum seu aquarum per quas quilibet dictorum fluviorum decurrunt aut in quibus exeunt Et similiter dedimus et concessimus tenoreque praesentis cartae nostrae damus et concedimus praefato Domino Willielmo Alexander suisque praedictis totas et integras bondas et transitus tam in aquis quam in terra a praedicto capite fonte et scaturigine Canadae ubicunque sit aut a quocunque lacu unde labitur ad praefatum sinum Californiae quantacunque compta fuerit esse distantia cum quinquaginta leucis omnimodo ab utroque latere ejusdem transitus inter dictum caput Canadae et sinum Californiae et similiter omnes et singulas insulas infra eundem sinum Californiae jacentes ac etiam totas et integras terras et bondas eidem sinui ab occidente et austro adjacentes sive reperiuntur pars continentis sive terrae firmae sive insula (ut putatur esse) quae Californiae nomine vulgo nuncupatur et indigitatur Insuper dedimus et concessimus tenoreque praesentis cartae nostrae damus et concedimus ac pro nobis et successoribus nostris cum avisamento et consensu praedicto pro perpetuo confirmamus praefato Domino Willielmo Alexander haeredibus suis et assignatis quibuscunque haereditarie omnes et singulas alias terras bondas lacus fluvios freta silvas forrestas aliaque per ipsum suosve successores eorum participes asociados aut alios eorum nomine seu potestatem ab his habentes quocunque tempore futuro invenienda conquerenda seu detegenda super utroque latere integrarum bondarum et transitus

antedictarum ab ostio et introitu dicti fluvii Canadae ubi in dictum sinum Canadae se exonerat ad dictum sinum Californiae aut insulas in maribus eidem adjacentibus quae per alios nostros subditos aut subditos alterius alicujus Christiani principis seu ordinum nobiscum in foedere et amicitia constitutorum hactenus realiter et actualiter possessa non sunt Cum plena et absoluta potestate ipsi dicto Domino Willielmo Alexander suisque praedictis (nullisque aliis) eorum factoribus servis et aliis eorum nomine colonias stabilire ac utendi commercio in praenominatis locis seu bondis vel qualibet earundem parte particulariter designata omnesque alios ab iisdem arcendi seu prohibendi necnon proportionem terrarum earundem cuicunque personae seu quibuscunque personis prout sibi commodum videbitur elocandi ac super iisdem terminis conditionibus restrictionibus et observationibus infra omnes praenominatas bondas sicut in Nova Scotia per quascunque literas patentes seu diplomata ipsi per quondam nostrum charissimum patrem vel nosmetipsos concessas facere potest cum talibus etiam et tantis privilegiis libertatibus et immunitatibus in omnibus praedictis locis seu bondis insulis aliisque suprascriptis tam in mari aqua dulci quam in terra quales quantasque dictus Dominus Willielmus Alexander habet in Nova Scotia per priores suas literas patentes seu diplomata de Nova Scotia de data apud

Quaequidem privilegia in dictis prioribus literis patentibus contenta et unumquodque eorum adeo sufficientia et valida fore ordinamus ac si singula hic particulariter et sigillatim concessa et expressa fuissent de verbo in verbum ejusdem omnimodo roboris fortitudinis et efficaciae fore volentes penes quorum particularem hic non insertionem nos pro nobis et successoribus nostris dispensavimus tenoreque praesentis cartae nostrae dispensamus imperpetuum Declarando etiam sicut nos cum avisamento et consensu praedicto ordinamus et declaramus pro nobis et successoribus nostris quod hae praesentes nostrae literae patentes seu diploma nullatenus erit praejudiciabile nec derogativum quibuscunque juribus cartis seu diplomatibus praefato Domino Willielmo Alexander suisve antedictis de aut super Nova Scotia quocunque tempore datam praesentium praecedente concessis aut alicui capiti clausulae articulo seu conditioni in iisdem expressis ac etiam sine praejudicio prioris alicujus literae patentes per nos antehac quibuscunque baronettis infra Scotiam de regione Novae Scotiae concessae seu concedendae quovis tempore futuro Prohibendo et vetando prout nos tenore praesentis cartae nostrae specialiter prohibemus et vetamus omnes et singulos nostros subditos cujuscunque gradus seu conditionis in quolibet nostrorum regnorum seu dominiorum ne ullam faciant plantationem nec ullo utantur commercio in dictis locis seu bondis sinibus fluviis lacubus insulis et fretis suprascriptis aut in aliqua earundem parte absque specialibus avisamento licentia et consensu praefati Domini Willielmi Alexander suorumve praedictorum ac cum speciali potestate dicto Domino Willielmo

Alexander suisque praedictis attachiandi arrestandi et deprehendendi omnes et singulas personas quae negotiari et commercio uti in aliqua dictorum locorum seu bondarum parte contra hanc prohibitionem inventae fuerint eorumque naves et bona confiscandi ac desuper in suos proprios usus pro libito disponendi absque ullo computo seu ratione de eisdem vel aliqua earundem parte reddenda quomodolibet omniaque alia adeo libere et large in omnibus intentionibus propositis et instructionibus faciendi infra totas et integras praenominatas bondas seu spatia sicuti praefatus Dominus Willielmus Alexander suique praedicti infra dictam regionem Novae Scotiae seu dictum regnum nostrum Scotiae fecisse potuit seu facere potest virtute cujuslibet dictarum literarum patentium priorum cartarum seu diplomatum

TENENDAS et HABENDAS totas et integras praenominatas terras spatia seu bondas insulas aliaque generaliter et particulariter expressa cum singulis suis privilegiis immunitatibus et commoditatibus quibuscunque generaliter et particulariter supramentionatis praefato Domino Willielmo Alexander suisque praedictis de nobis et successoribus nostris de corona et regno nostro Scotiae in libera alba firma imperpetuum per omnes rectas metas antiquas suas et divisas prout jacent in longitudine et latitudine in domibus aedificiis boscis planis moris marresiiis viis semitis aquis stagnis rivolis pratis pascuis et pasturis molendinis multuris et eorum sequelis aucupationibus venationibus piscationibus petariis turbariis carbonariis cuniculis cuniculariis columbis columbariis fabrilibus brasinis bruertiis et genistis silvis nemoribus et virgultis lignis tignis lapicidiis lapide et calce cum curiis et earum exitibus herezeldis bludevitis et mulierum merchetis cum communi pastura liberoque introitu et exitu ac cum omnibus aliis et singulis suis libertatibus commoditatibus proficuis asiamentis ac justis suis pertinentiis quibuscunque tam non nominatis quam nominatis tam subtus terra quam supra terram procul et prope ad praedictas terras cum pertinentiis spectantibus seu juste spectare valentibus quomodolibet in futurum libere quiete plenarie integre honorifice bene et in pace cum furca fossa sok sak thole thame wert wraik wair weth vennyoun infangtheif outfangtheif pit et gallous sine aliquo impedimento revocatione contradictione aut obstaculo aliquali

REDDENDO inde annuatim dictus Dominus Willielmus suique praedicti nobis et successoribus nostris unum denarium monetae Scotiae super solo dictarum terrarum aut alicujus partis earundem ad festum Nativitatis Domini nomine albae firmae si petatur tantum Quasquidem totas et integras praenominatas terras spatia seu bondas insulas aliaque generaliter et particulariter supra expressa ut dictum est nos cum specialibus avisamento et consensu praedicto pro nobis et successoribus nostris ereximus et univimus tenoreque praesentis cartae nostrae erigimus et unimus in unum integrum et liberum [dominium] DOMINIUM DE CANADA nuncupandum ad memoratum Dominum Willielmum Alexander suosque praedictos haereditarie spectans et pertinens imperpetuum Nobis etiam tenore praesenti cartae nostrae gratiose

placet quod quodocunque dictus Dominus Willielmus Alexander suisque antedicti vel aliquis eorum hanc praesentem nostram cartam cum omnibus et singulis beneficialibus clausulis et conditionibus quae in dictis prioribus literis patentibus cartis seu diplomatis de Nova Scotia renovari vcluerit et desideraverit vel prout ipse sui antedicti vel eorum quilibet ex advocatorum consultatione aut speciali aliqua ulterioris seu certioris [citerioris?] dictorum locorum seu bondarum fluviorum lacuum seu transituum aliorumque supra mentionatorum detectionis cognitione magis commodum et expediens videbitur tunc et in eo casu nos dictam cartam praefato Domino Willielmo Alexander suisque antedictis in optima et amplissima quae comminisci poterit forma renovaturos et translaturus promittimus in verbo principis Insuper nos tenore praesentis cartae nostrae cum avisamento et consensu praedicto decernimus declaramus et ordinamus quod sasina per dictum Dominum Willielmum Alexander suosque praedictos apud castrum nostrum de Edinburgh tanquam eminentissimum et principalem dicti regni nostri Scotiae locum aut super solo et fundo praefatarum terrarum bondarum et insularum vel ejuslibet earundem partis ad placitum et libitum ejusdem Domini Willielmi suorumque praedictorum capienda omni tempore futuro sufficiens erit pro totis et integris praenominatis terris bondis insulis aliisque supra specificatis aut aliqua parte seu portione earundem et quod haeredes praefati Domini Willielmi suorumque praedictorum in omnibus et singulis praenominatis terris bondis insulis aliisque praedictis vel per praecepta et cancellaria dicti regni nostri Scotiae aut cancellaria per dictum Dominum Willielmum suosque antedictos in praefata regione et dominio de Canada instituenda pro libito sasiantur aut etiam prout haeredes sui per dictas priores suas concessionem in Nova Scotia sasiri possunt penes quod nos cum avisamento et consensu praedicto pro nobis et successoribus nostris dispensavimus tenoreque praesentis cartae nostrae dispensamus imperpetuum ac penes omnia et singula praenominata privilegia aliaque generaliter et particulariter supra mentionata Et praeterea fecimus et constituimus tenoreque praesentis cartae nostrae facimus et constituimus

et eorum quemlibet conjunctim et divisim ballivos nostros in hac parte dando et concedendo iis et eorum cuilibet nostram plenam potestatem et speciale warrantum statum et sasinam haereditariam pariter et possessionem actualem realem et corporalem praefato Domino Willielmo Alexander suisque antedictis vel suis certis actoribus hanc praesentem cartam nostram habentibus seu producentibus dandi concedendi et deliberandi de omnibus et singulis praenominatis terris bondis fluviis lacubus insulis fretis seu transitibus aliisque quibuscunque generaliter et particulariter supra expressis dictae regionis et domini de Canada apud dictum castrum nostrum de Edinburgh vel super solo et fundo ejuslibet partis praedictarum terrarum et bondarum seu locorum vel utroque modo ad placitum dicti Domini Willielmi Alexander suorumque praedictorum Mandando iisdem et eorum cuilibet quatenus visis

praesentibus indilate statum et sasinam haereditariam pariter et possessionem actualem realem et corporalem omnium et singularum praenominatarum terrarum locorum seu bondarum insularum fluviorum lacuum aliorumque praedictorum generaliter et particulariter supra expressorum praefato Domino Willielmo Alexander suisque praedictis vel suis certis actornatis hanc praesentem cartam nostram habentibus seu producentibus super qualibet parte fundi dictarum terrarum vel apud castrum nostrum de Edinburgh vel utroque modo prout ipsi suisque praedictis melius apparebit dent tradant et deliberent seu aliquis eorum det tradat et deliberet per terrae et lapidis deliberationem praefato Domino Willielmo suisque antedictis vel eorum actornatis hanc praesentem nostram cartam habentibus seu producentibus apud dictum castrum vel super solo et fundo dictarum terrarum aliorumque superscriptorum vel utroque modo pro libito dicti Domini Willielmi suorumque praedictorum Quamquidem sasinam ita per dictos nostros ballivos in hac parte praefato Domino Willielmo suisque antedictis vel eorum actornatis hanc praesentem cartam nostram habentibus seu producentibus tradendam nos pro nobis et successoribus nostris decernimus et ordinamus bonam legitimam validam et sufficientem fore in omni tempore futuro dispensando sicuti nos tenore praesentis cartae nostrae dispensamus penes omnia quae adversus eandem obijci possunt sive in forma sive in effectu DENIQUE nos pro nobis et successoribus nostris cum avasamento et consensu praedicto volumus decernimus declaramus et ordinamus hanc praesentem cartam nostram cum omnibus et singulis privilegiis libertatibus clausulis articulis et conditionibus supradictis in proximo nostro parlamento regni nostri Scotiae seu quolibet alio ejusdem regni parlamento posthaec tenendo ad libitum et placitum dicti Domini Willielmi Alexander suorumque praedictorum ratificandam approbandam et confirmandam roburque fortitudinera et efficaciam decreti ejusdem supremi fore habituram ad quod faciendum nos pro nobis et successoribus nostris volumus et declaramus eandem nostram cartam et clausulas inibi contentas sufficiens fore mandatum seu warrantum idem ita fieri et perfici promittentes in verbo regis IN CUJUS REI testimonium huic praesenti cartae nostrae magnum sigillum nostrum apponi praecepimus Testibus nostris consanguineis et consiliariis Jacobo marchione de Hammiltoun comite Aranie et Cantabrigie domino Aven et Innerdaill Willielmo Mariscallo comite domino Keyth &c. regni nostri mariscallo Georgio vicecomite de Duplin domino Hay de Kinfaurnis nostro concellario Thoma comite de Hadingtoun domino Bynning et Byris &c. nostri secreti sigilli custode dilectis nostris familiaribus consiliariis Dominis Willielmo Alexander de Menstrie nostro secretario principali Jacobo Hammiltoun de Magdalenis nostrorum rotulorum registri ac consilii clerico Georgio Elphingstoun de Blythiswod nostrae justiciariae clerico et Joanne Scot de Scottistartvett militibus nostrae cancellariae directore Apud regiam nostram de Quhythall secundo die mensis Februarii anno Domini millesimo sexcentesimo vigesimo octavo et regni nostri tertio.